



# A G E N D A

## CITY OF LAKEPORT PLANNING COMMISSION

### Wednesday, September 14, 2022

**If you cannot attend in person, and would like to speak on an agenda item, you can access the Zoom meeting remotely:**

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81411354347?pwd=UjM3RlhIV1NVUmFZRkV1dUtrRjVHUT09>

Passcode: 847985

Or One tap mobile :

US: +16694449171,,81411354347#,,,,\*847985# or  
+13462487799,,81411354347#,,,,\*847985#

Or Telephone:

Dial (for higher quality, dial a number based on your  
current location): US: +1 669 444 9171 or +1 346 248

7799

Webinar ID: 814 1135 4347

Passcode: 847985

International numbers available: <https://us06web.zoom.us/j/81411354347?pwd=UjM3RlhIV1NVUmFZRkV1dUtrRjVHUT09>

The City wants you to know that you can also submit your comments by email to [jbyers@cityoflakeport.com](mailto:jbyers@cityoflakeport.com).

To give the Staff adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 4:30 p.m.

Please indicate in the email Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on.

Comments that you want read to the Council will be subject to the three-minute time limitation (approximately 350 words). Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting.

The City of Lakeport thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.





# **A G E N D A**

## **CITY OF LAKEPORT**

### **PLANNING COMMISSION**

**REGULAR MEETING: Wednesday, September 14, 2022, 5:30 P.M.**  
**City Hall Council Chambers, 225 Park Street**

**I. CALL MEETING TO ORDER: 5:30 p.m.**

**II. ROLL CALL:**

**III. ACCEPTANCE OF AGENDA:**

**Urgency Items:** To add an item, the Commission is required to make a majority decision that an urgency exists (as defined in the Brown Act) and a two-thirds determination that the need to take action arose subsequent to the agenda being posted.

Move to accept the agenda as posted or move to add or delete items.

**IV. COMMUNICATIONS:**

**A. Public Input:**

Any person may speak for three minutes about any subject within the authority of the Planning Commission, provided that the subject is not already on tonight's agenda. Persons wishing to address the Planning Commission are required to complete a Citizen's Input form and submit it to the Community Development Director prior to the meeting being called to order. While not required, please state your name and address for the record.

**V. CONSENT CALENDAR:**

The following Consent Agenda items are expected to be routine and non-controversial. They will be acted upon by the Commission at one time without any discussion. Any Planning Commissioner may request that any item be removed from the Consent Agenda for discussion under the Regular Agenda.

**A. Minutes:**

Approval of the completed minutes from the Special Planning Commission meeting of August 10, 2022.

**VI. REGULAR CALENDAR:**

**A. Cory McCormick – Application  
#2022-14**

Application for a Use Permit to allow a short-term rental within an existing single-family dwelling located at 1976 Lakeshore Blvd., APN: 026-312-30.

**B. Lake County Contractors–  
Application #2022-11**

Application for an Architectural and Design Review and Categorical Exemption to allow a 2,500 square-foot two-story laundromat and office building and a 563 square foot storage building located at 301 S Main Street, APN: 005-501-31.

**C. City of Lakeport Outdoor  
Dining Standards – Application  
#2022-17**

Discussion and study session regarding Outdoor Dining Standards and community feedback in regard to the design standards.

**VII. Correspondence**

**VIII. Comments from Staff  
or Commissioners:**

**IV. SCHEDULE NEXT MEETING:**

Discuss and set the next meeting date (October 12, 2022).

**X. ADJOURNMENT:**

**APPEALS:**

The applicant or affected persons not satisfied with the decision of the Planning Commission may file an appeal. Affected persons include individuals who received notice of a land use application, or who attended the Planning Commission meeting and made verbal comments or submitted written comments in response to the notice. An appeal of a decision made by the Planning Commission shall be filed with the Community Development Director within five business days of the decision. Said appeal shall be filed on the prescribed form and accompanied by the fee in the amount set by Resolution of the City Council.

**ACCESSIBILITY:**

The City of Lakeport, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact City Clerk's Office, (707) 263-5615, 72 hours prior to the scheduled meeting to ensure reasonable accommodations are provided.



## CITY OF LAKEPORT PLANNING COMMISSION REGULAR MEETING – August 10, 2022, MINUTES

**CALL TO ORDER / ROLL CALL:** Chair Mitchell called the meeting to order at 5:30 p.m. with Commissioners Maxman, and Barnett present. Commissioners Warrenburg and Combs were absent. Also present was Community Development Director, Jenni Byers, Associate Planner, Victor Fernandez, and Administrative Analyst, Linda Sobieraj.

### **ACCEPTANCE OF AGENDA:**

Commissioner Barnett made a motion to accept the agenda as posted. Seconded by Commissioner Maxman. Motion carried by voice vote. (3-0).

**COMMUNICATIONS:** Director Byers advised there was no public input.

### **CONCENT CALENDAR:**

A motion was made by Commissioner Maxman, to accept the minutes. Seconded by Commissioner Combs. (Minutes from the Regular Planning Commission April 13, 2022). Motion carried by voice vote (4-0).

### **REGULAR AGENDA:**

#### **BND Holdings- Application# 2022-08 -**

Associate Planner Fernandez briefed the Planning Commission on an application for an Architectural and Design Review that would allow for a 3,599 square foot commercial metal building for storage and distribution to be located at 2225 and 2232 Specht Court, APNs: 005-049-14 and 005-049-15.

Commissioners asked questions regarding a condition of the Use Permit if the billboard was issued a permit by the County.

Public hearing opened at 5:44 p.m. and closed with no input at 5:45 p.m.

#### **Categorical Exemption Approval**

Commissioner Maxman moved that the Planning Commission find that Application 2022-08 as applied for by BND Holdings is categorically exempt pursuant to Section 15332 of the CEQA guidelines. Seconded by Commissioner Barnett and carried by voice vote (3-0).

#### **Architectural and Design Review Approval**

Commissioner Maxman moved that the Planning Commission find that the Architectural and Design Review applied for by BND Holdings, on property located at 2225 and 2232 Specht Court does meet the requirements of Section 17.27.080 of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B), and with the findings listed in the August 10, 2022, staff report. Seconded by Commissioner Barnett and carried by voice vote (3-0).

#### **Waterstone Residential - Application #2021-31 -**

Director Byers briefed the Planning Commission on an application for a Zone Change, Environmental Review and General Plan Amendment for 128-unit apartment complex and 48 cluster homes to be located at 1310 Craig Avenue, APN: 005-030-51.

Director Byers read into the record three written opposition letters received via email.

Public hearing opened at 6:22 p.m. The following citizens spoke against the project; Sheldon Sloan, Dr. Greg Hicks, Jennifer Thorup, Eric and Lyndee Shaul, Anthony Becerra Valadez, Christina Price, Don Baze, Kim Costa, and Kevin McConnell. Public hearing closed at 6:55 p.m.

Planning Commissioners asked questions regarding design standards, density per acre, secondary egress, increased traffic, original maintenance agreement, drainage, subsidized housing, adding speed bumps, pre-construction survey, and fire road access.

Mitigated Negative Declaration Approval

Commissioner Barnett moved that the Planning Commission find that on the basis of the Initial Study prepared by the Community Development Department, the General Plan Amendment and Zone Change as applied for by Waterstone Residential and referred to as the Parkside Residential Project will not have a significant effect on the environment and, therefore, recommend to the City Council that it approved a Mitigated Negative Declaration for the project as provided for in the California Environmental Quality Act. Seconded by Commissioner Maxman and carried by voice vote (3-0).

General Plan Amendment Approval

Commissioner Barnett moved that the Planning Commission recommend that the City Council approve the General Plan Amendment as applied for by Waterstone Residential for 5.97± acres of the 15.16±-acre site at 1310 Craig Avenue from Residential to High-Density Residential, subject to the findings listed in the staff report dated August 10, 2022. Seconded by Commissioner Maxman and carried by voice vote (3-0).

Zone Change Approval

Commissioner Barnett moved that the Planning Commission recommend that the City Council amend the Lakeport Zoning Ordinance as applied for by Waterstone Residential for a portion of the property at 1310 Craig Avenue changing the zoning from Low-Density Residential (R-1) to High-Density Residential (R-3) zoning district with the remainder of the site to be designated as R-1 with a PD (Planned Development Combining District Overlay), subject to the findings listed in the staff report dated August 10, 2022. Seconded by Commissioner Maxman and carried by voice vote (3-0).

**CORRESPONDENCE:**

The Commission discussed the current project pending list.

**COMMENTS FROM STAFF AND COMMISSIONERS:**

Director Byers advised the Planning Commission the City's Building Official, Bethany Moss has been taking a very proactive approach to Code Enforcement, both residential and commercial.

**DISCUSS AND SET THE NEXT MEETING DATE:**

It was agreed by consensus that the next regular meeting to be held on Wednesday, September 14, 2022, at 5:30 p.m. Meeting was adjourned and closed at 7:50 p.m.

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Jennifer M. Byers, Community Development Director



## **CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT**

**DATE:** September 14, 2022

**APPLICATION NO:** 2022-14 Use Permit and Categorical Exemption

**OWNER/APPLICANT:** Cory McCormick  
1976 Lakeshore Blvd  
Lakeport, CA 95453

**LOCATION:** 1976 Lakeshore Blvd (026-312-30)

**GENERAL PLAN:** Resort Residential

**ZONING:** R5 – Resort/High-Density Residential

**STAFF CONTACT:** Victor Fernandez, Associate Planner

**REQUESTED ACTION:** The Planning Commission is being asked to review and approve an application for a Use Permit to allow a short-term rental, consistent with Section 17.24.110.E of the zoning ordinance. The Use Permit would allow for a short-term rental permit within an existing single-family dwelling located at 1976 Lakeshore Blvd., APN: 026-312-30.

**GENERAL PLAN AND ZONING DISTRICT:** The subject property is designated Resort Residential according to the City of Lakeport General Plan Land Use Map and is within the R5, Resort/High Density Residential zoning district according to the City Zoning Map.

As proposed, the allowance for the short-term rental of a residence to transient guests at this site is consistent with the objective ED 10 of the General Plan which seeks, "To promote and enhance Lakeport as a year-round visitor/recreation destination area." Likewise, Policy ED 10.2 of the Economic Development Element which, "supports new visitor-oriented lodging...(Page VI-6-7)."

As proposed, the project is consistent with the intent of the General Plan and Zoning Ordinance Sections 17.07.050(I), Uses Permitted in R-2 and R-3 districts with Use Permit; 17.050.040 Uses Permitted in R-1, 17.040.050.C Uses Permitted subject to a Use Permit, and 17.24.110.E Use Permit, in respect to the conditional use on the property.

**PROJECT DESCRIPTION:** The proposed project consists of a short-term rental proposed in an existing single-family residence located on Lakeshore Blvd. The short-term rental offers a single-family residential unit with three (3) bedrooms, one (1) bathroom, kitchen, dining room, living room and a garage. The unit would accommodate up to 4 people. The property has 4 onsite parking spots via a private driveway and 2 extra spaces in the gravel area.

Staff reviewed all the criteria applicable to this project and has determined that the proposed short-term rental is in compliance with the Use Permit standards for short-term rentals 17.24.110.E set forth in the Municipal Code.



**Project Location**

The applicant would be required to get a business license for the operation of the short-term rental, as well as working with the city to provide Transient Occupancy Tax for the short-term rental.

**Agency Review Comments:** The submitted plans were provided to the Building Official, City Engineer, City Public Works, City Finance Department, Police and Lakeport Fire Protection District for their review.

- Building Official:
  - Install a self-closer on the pedestrian door from the garage into the kitchen. Door to self-close and latch.
  - Install self-closers on both gates at the exterior the property. Ensure both gates to self-close and latch (due to the spa triggering gate requirements).
  - Install a smoke alarm and carbon monoxide detector on the main floor.
  - Install smoke alarms in each bedroom on the second floor.
  - Install a carbon monoxide detector in the hall outside the bedrooms on the second floor.

- Fire extinguisher to be mounted no more than 5' from the floor and secured in an approved manner.
- If the fire extinguisher is going to be housed inside a closet or cabinet, install approved placarding on the outside of the enclosure identifying "fire extinguisher inside", or mount the fire extinguisher in a conspicuous location on the main floor.
- City Engineer: No comments.
- Public Works: No issues.
- Public Works Utilities: No Impact.
- City Police: No Police concerns.
- Lakeport Fire Protection District: No Response

Specific project conditions have been included to address agency comments received. The Project Conditions of Approval (Attachment B) are attached.

**USE PERMIT APPLICATION FINDINGS:** As described, the proposed short-term rental set forth for Zoning Ordinance Sections 17.07.050(I), Uses Permitted in R-2 and R-3 districts with Use Permit; 17.050.040 Uses Permitted in R-1, 17.040.050.C Uses Permitted subject to a Use Permit, and 17.24.110.E Use Permit requires the issuance of a Use Permit by the Lakeport Planning Commission. Section 17.24.040 of the Zoning Ordinance requires the following findings be made for said approval:

*Finding 1: That the proposed location and use is consistent with the objectives of this ordinance and the purposes of the district in which the site is located.* The short-term rental as outlined in the proposed application is consistent with the standards set forth for a legal nonconforming residential use in the R5, Resort/High Density Residential zoning district. The site and circulation associated with the proposed project on this property is adequate for the use. The use is generally consistent with other uses in the immediate area, would not reflect a significant increase in use in the area, and would not have a significant impact on the immediate residential and commercial areas.

*Finding 2: That the proposed location of the use and proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the health, safety, or welfare of persons residing in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.* The project with proposed conditions implemented is consistent with the objectives and policies of the Lakeport General Plan because Objective ED-10 of the General Plan encourages uses that promote and enhance Lakeport as a year-round visitor/recreation destination area. Furthermore, this use will take place in a location that would limit the impact to neighbors in close proximity. As proposed this project will not have a significant impact on the neighboring residential properties in the immediate area.

*Finding 3: That the proposed use will comply with the provisions of this title.* The use, with the conditions of approval, are in compliance with the R5, R-1, R-2, and R-3 Residential, zoning districts (LMC Chapters 17.04, 17.05, 17.06, and 17.07) and Use Permit standards (LMC Chapter 17.24), including all special provisions pertaining to Short term rental of residences to transient guests (vacation home) as outlined in Section 17.24.100.E.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:**

*Finding 4: The project is statutorily exempt of the California Environmental Quality Act.*

The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act according to Section 15301, Existing Facilities, of the CEQA guidelines. This section allows for the modification to the operation of an existing private structure.

**CONCLUSION, RECOMMENDATION, AND CONDITIONS:** Based on the information provided by the applicant and the comments received from City staff, a finding is made that the short-term rental located at the property located at 1976 Lakeshore Blvd., is in general conformance with the Lakeport Municipal Code Section 17.24.40 (Use Permit criteria and standards). The proposed use will not significantly impact the building and will not impact the functionality of the existing residential use. The proposed project has been determined to be exempt from the provisions of the California Environmental Quality Act according to Section 15301 of the CEQA guidelines.

Staff recommends that the Planning Commission approve the Use Permit application subject to the conditions of approval set forth in the staff report (Attachment B).

**SAMPLE MOTIONS**

Categorical Exemption Approval

I move that the Planning Commission find that Application No. 2022-14 as applied for by Cory McCormick is categorically exempt as an existing facility pursuant to Section 15301 of the CEQA Guidelines.

Use Permit Approval

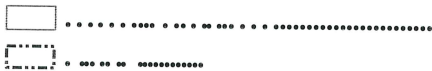
I move that the Planning Commission find that the Use Permit applied for by Cory McCormick on the property located at 1976 Lakeshore Blvd does meet the requirements of Section 17.24.040 of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B), and with the findings listed in the September 14, 2022 staff report.

***The Planning Commission's approval of the applications shall be subject to the conditions of approval specified in the staff report and/or as amended by the Planning Commission at the public hearing.***

Attachment A: Vicinity Map  
Attachment B: Project Conditions Agreement  
Attachment C: Application; Site Plan and Narrative

## **Attachment A: Vicinity Map**





0 100 200 300 400 500 600 700 800 900 1000

0 100 200 300 400 500 600 700 800 900 1000



**Attachment B:**  
**Project Conditions Agreement**





**CITY OF LAKEPORT**  
**Community Development Department**  
**225 Park Street**  
**Lakeport, Ca 95453**

## ***PROJECT CONDITIONS AGREEMENT***

Land Use Application File No. 2022-14

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*This Agreement is entered into by **Cory McCormick**  
(hereinafter Applicant/Owner).*

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### **RECITALS**

**WHEREAS**, Applicant/Owner applied to the City of Lakeport for a Use Permit approval for a short-term rental; and

**WHEREAS**, the City of Lakeport Planning Commission has reviewed and approved the project for conformance with the Use Permit criteria and standards set forth in Section 17.24.110 of the Lakeport Municipal Code; and

**WHEREAS**, the proposed project is hereby approved subject to the following conditions:

1. The applicant/owner shall sign this standard City of Lakeport Project Conditions Agreement which lists the conditions of approval and shall agree to said conditions. A copy of the signed agreement shall be returned to the Community Development Department prior to the commencement of operations.
2. The project shall be developed in accordance with the plans and specifications received by the City on April 11, 2022. Minor alterations may be approved in writing by the City of Lakeport Community Development Director or her designee.
3. The applicant/owners shall comply with the provisions of Municipal Code Chapter 3.20 regarding the collection and payment of the Transient Occupancy Tax (TOT). Proof of the TOT program registration with the City of Lakeport Finance Department shall be provided to the Community Development Department prior to the commencement of operations.
4. The applicant/owner shall comply with all applicable provisions of Municipal Code Chapter 5.04 regarding the issuance of a Business License. A copy of the issued business license shall be provided to the Community Development Department prior to the commencement of operations.

5. The applicant/owner/operator shall post a notice within the portion of the home being utilized as a short-term rental and provide a handout to guests at the time of check-in which shall substantially conform with the following:

***The owners of this home and the City of Lakeport welcome you to our town. We sincerely hope that you and your family enjoy your stay and return again soon. This home has been approved by the City of Lakeport for use as a vacation home rental. Because it is located in a residential area, we ask that you and your family maintain a quiet and peaceful atmosphere. There are adjacent neighbors who live here full time and would appreciate your consideration. Your cooperation is appreciated.***

Any deviation from the above language shall be approved in advance by the Community Development Director.

6. The applicant/owner shall work with the City of Lakeport Building Division to review the change of occupancy from a single-family dwelling use to a transient guest use.
7. The applicant/owner shall obtain permits for any construction, remodel, improvements, prior to commencement of operation.
8. In reference to the **Building Officials comments**, the applicant shall meet the following conditions prior to operation:
  - Install a self-closer on the pedestrian door from the garage into the kitchen. Door must self-close and latch.
  - Install self-closers on both gates at the exterior of the property. Both gates shall self-close and latch.
  - Install a smoke alarm and carbon monoxide detector on the main floor.
  - Install smoke alarms in each bedroom on the second floor and in the hall outside the bedrooms on the second floor.
  - Install 2A 10BC fire extinguishers mounted no more than 5 feet from the floor and secured in an approved manner. If the fire extinguisher is going to be housed inside a closet or cabinet, install approved placarding on the outside of the enclosure identifying "fire extinguisher inside", or mount the fire extinguisher in a conspicuous location on the main floor.
  - Install address numbers on building in accordance with building code.
9. The Use Permit shall be reviewed by the Planning Commission as necessary to determine compliance with conditions of approval or if legitimate and verified complaints are submitted to the City.
10. The applicant/owner shall develop the structures color in conformance with the approved plans.

**NOW, THEREFORE, IT IS AGREED:**

1. That the applicant/owner has read and agrees to each and every item and condition herein.
2. That the development and use of the real property described herein shall conform to the conditions listed above and all City of Lakeport Ordinances and Resolutions where applicable.
3. That said conditions shall be binding on all owners or persons having or acquiring any right, title, or interest in said real property, or any part thereof, subject to this agreement.

**APPLICANT**

\_\_\_\_\_  
SIGNATURE- Cory McCormick

\_\_\_\_\_  
Dated:

\_\_\_\_\_  
PLEASE PRINT NAME

cc: Project File



**Attachment C:**  
**Application; Site Plan and Floor Plan**





## City of Lakeport

225 Park St – Lakeport CA 95453

Phone: (707) 263-5613 EXT. 205 FAX: (707) 263-9314

www.cityoflakeport.com

# LAND USE APPLICATION

WITH OR WITHOUT CATEGORICAL EXEMPTION

APPLICANT'S INFORMATION	LAND OWNER'S INFORMATION
Name <u>Cory McCormick</u>	Name <u>same</u>
Company Name <u>1976 LAKE SHORE</u>	Company Name _____
Mailing Address <u>2204 Christy Ct</u>	Mailing Address _____
City, State, Zip <u>Santa Rosa, CA 95453</u>	City, State, Zip _____
Phone <u>707 829-7336</u> Fax _____	Phone _____ Fax _____
Email <u>Cory.McCormick@yahoo.com</u>	Email _____

AGENT, ENGINEER, OR ARCHITECT'S INFORMATION (if any)	
Name _____	Company Name _____
Mailing Address _____	Phone _____ Fax _____
City, State, Zip _____	Email _____

PROJECT INFORMATION	
Project location: <u>1976 Lakeshore Blvd</u>	Assessor Parcel No.(s): <u>024-312-30</u>
Current land use: _____	Size of existing parcel: _____
Current Zoning: <u>R-5</u>	Current General Plan Designation: _____
Subdivision tract name: _____	Lot and block numbers: _____
Description of proposed project: _____	

**ATTACH SUPPLEMENTAL INFORMATION AS REQUIRED**

<b>SIGNATURE OF APPLICANT</b>	<b>DATE</b>	<b>SIGNATURE OF LAND OWNER</b>	<b>DATE</b>
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### LAND USE APPLICATIONS REQUIRED FOR PROPOSED PROJECT:

<input type="checkbox"/>	\$722.07	Abandonment of Right-of-Way
<input type="checkbox"/>	2,075.23*	Annexation
<input type="checkbox"/>	155.49	Archeological Review
<input type="checkbox"/>	2,948.56*	Architectural & Design Review
<input type="checkbox"/>	746.98	Arch. & Design Review (Minor)
<input type="checkbox"/>	93.51	Arch. & Design Review (Small Project)
<input type="checkbox"/>	310.97	Approved Plan Revision
<input checked="" type="checkbox"/>	140.08	Categorical Exemption
<input type="checkbox"/>	280.16	Certificate of Compliance
<input type="checkbox"/>	1,306.94	Development Agreement
<input type="checkbox"/>	886.70	Environmental Review
<input type="checkbox"/>	256.70	Fence Request
<input type="checkbox"/>	342.26	Free-Standing Sign
<input type="checkbox"/>	809.19	General Plan Amendment

<input type="checkbox"/>	\$ 933.39	Lot Line Adjustment
<input type="checkbox"/>	124.67	Minor Exception
<input type="checkbox"/>	489.45*	Formal Concept Plan Review
<input type="checkbox"/>	88.87 & up**	Reapportionment – Sewer Assessment
<input type="checkbox"/>	248.87	Shoreline Development
<input type="checkbox"/>	1952.47*	Tentative Parcel Map
<input type="checkbox"/>	2,818.23*	Tentative Subdivision Map
<input type="checkbox"/>	684.52	Use Permit, Major
<input checked="" type="checkbox"/>	180.52	Use Permit, Minor
<input type="checkbox"/>	715.81	Variance
<input type="checkbox"/>	233.23	Voluntary Merger
<input type="checkbox"/>	1,089.35	Zone Change
<input checked="" type="checkbox"/>	190.02*	Zoning Permit
<input type="checkbox"/>		Other

\*Planning and Engineering Fees \*\* Engineering Fee

Total Fees Collected: \$ 320.60 Receipt # 181352 Initials UG Date 4/11/22  
Application # 2022-14

Revised 7/1/2021

## SUPPLEMENTAL INFORMATION FOR VARIOUS LAND USE APPLICATIONS

Please answer questions and/or attach additional information appropriate to the type of land use(s) being applied for – see boxes checked on the bottom of the first page of this application to see which of the following applications apply

<b>APPROVED PLAN REVISION</b>	Description of original project _____ Description of revision being proposed _____	
<b>DEVELOPMENT AGREEMENT</b>	Floor area of proposed buildings _____ Number of parking spaces _____	
<b>ENVIRONMENTAL REVIEW</b>	Please complete the information requested on the next page.	
<b>FENCE REQUEST</b>	Cross streets _____ Description of proposed fence _____ Reason for fence _____ <b>ATTACH DETAILED SITE PLAN AND ELEVATION OF PROPOSED FENCE</b>	
<b>FREE-STANDING SIGN</b>	Sign maker name, address, phone _____ Description of proposed sign _____	
<b>GENERAL PLAN AMENDMENT</b>	<b>ATTACH WRITTEN STATEMENT RESPONDING TO GENERAL PLAN AMENDMENT CRITERIA – see attached information.</b> <b>ATTACH MAP / SITE PLAN AND LEGAL DESCRIPTION OF PROPERTY.</b>	
<b>LOT LINE ADJUSTMENT</b>	Assessor's Parcel No. _____ Size of parcel _____ Present use _____	Assessor's Parcel No. _____ Size of parcel _____ Present use _____
	Assessor's Parcel No. _____ Size of parcel _____ Present use _____	Signature of adjacent landowner _____ Date _____ <b>ATTACH DETAILED MAP DRAWN TO SCALE ILLUSTRATING PROPOSED ADJUSTMENT</b>
<b>MINOR EXCEPTION</b>	Section of applicable Ordinance (Code) _____ Description of proposed exception _____ <b>ATTACH EXCEPTION JUSTIFICATION STATEMENT – see attached information</b>	
<b>TENTATIVE PARCEL OR SUBDIVISION MAP</b>	Number _____ and size of parcels to be created _____ Reason for requesting division of land _____ Will easements or rights-of-way be dedicated _____ Is sewer and water service available _____	
<b>SHORELINE DEVELOPMENT</b>	Describe the proposed shoreline development _____ <b>ATTACH SHORELINE DEVELOPMENT PLAN – see attached information</b>	
<b>USE PERMIT</b>	<b>ATTACH USE PERMIT JUSTIFICATION STATEMENT – see attached information</b>	
<b>VARIANCE</b>	Section of Ordinance (Code) being varied _____ Description of proposed variance _____ <b>ATTACH VARIANCE JUSTIFICATION STATEMENT – see attached instructions</b>	
<b>VOLUNTARY MERGER</b>	Description of proposed merger _____ Reason for requesting merger _____	
<b>ZONE CHANGE</b>	<b>ATTACH A WRITTEN EXPLANATION FOR REZONING REQUEST AND DISCUSS CONFORMANCE WITH THE GENERAL PLAN – see attached information.</b> <b>ATTACH MAP, SITE PLAN, AND LEGAL DESCRIPTION OF PROPERTY</b>	

## **Linda Sobieraj**

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**From:** Cory McCormick <cory@hollygc.com>  
**Sent:** Thursday, April 14, 2022 3:59 PM  
**To:** Linda Sobieraj  
**Subject:** 1976 Lakeshore Blvd  
**Attachments:** doc09045420220414153136.pdf

Linda,

Thank you for taking the time to review my application with me the other day. Attached is the first and second story floor plan for your review and information.

My family loves spending time together on the water, and to afford this house and the remodel, we would like to rent it out for other families to enjoy.

The house is approximately 1,500 square feet with three bedrooms and 2.5 bathrooms and a large deck. There are four parking spaces in the driveway and two extra spots in the gravel.

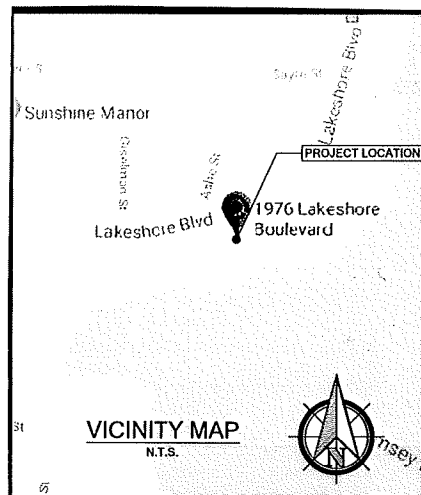
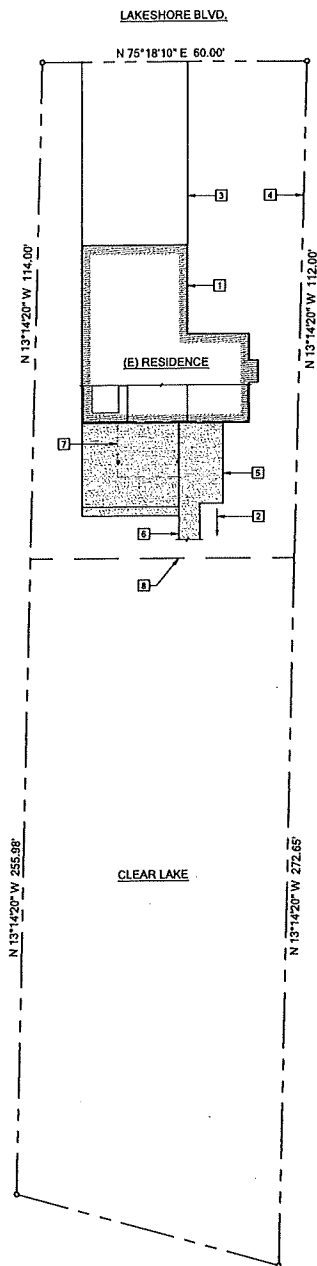
Let me know if you have any further questions or comments.

Thanks,

Cory McCormick  
(707) 889-7336

## SITE PLAN KEYNOTES

1. FOOTPRINT OF EXISTING BUILDING SHOWN HATCHED, TYPICAL.
2. SLOPE FINISHED GRADE AWAY FROM NEW CONSTRUCTION AT 5% MINIMUM FOR 10'-0" MINIMUM, TYPICAL.
3. EXISTING DRIVEWAY TO REMAIN.
4. LINE OF APPROXIMATE PROPERTY LINE, TYP.
5. REBUILT DECK SHOWN SHADED, TYPICAL
6. REBUILT WALKWAY TO BOAT DOCK SHOWN SHADED, TYPICAL
7. LINE OF BALCONY ABOVE.
8. APPROXIMATE LINE OF WATER EDGE (FROM PARCEL BOUNDARY MAP)



## GENERAL SITE PLAN NOTES:

1. ENCROACHMENT PERMIT: ANY IMPROVEMENT, PROPOSED OR REQUIRED, WITHIN THE PUBLIC WAY OR ANY EXISTING PUBLIC SEWER OR WATER EASEMENTS SHALL BE REVIEWED AND APPROVED WITH AN ENCROACHMENT PERMIT APPLICATION. SUBMIT PLANS SHOWING ALL WORK IN THE PUBLIC RIGHT OF WAY, OR IN PUBLIC EASEMENTS, INCLUDING ALL WORK ON PUBLIC UTILITIES (WATER METER BOXES, SEWER LATERAL CLEANOUTS, BACKFLOW DEVICES, ETC.) TO THE RESPONSIBLE PERMIT AUTHORITY. NO WORK SHALL BE PERFORMED IN THE PUBLIC RIGHT OF WAY WITHOUT AN ENCROACHMENT PERMIT.
2. REMOVE EXCESS EARTH TO AN APPROVED OFF-SITE AREA.
3. FINISHED GRADE SHALL SLOPE AWAY FROM THE BUILDING @ A MINIMUM SLOPE OF 5% FOR A MINIMUM DISTANCE OF 10'-0" MEASURED PERPENDICULAR TO THE EXTERIOR WALL. IF OBSTRUCTIONS PROHIBIT 10'-0" OF SLOPE, PROVIDE 5% OF SLOPE TO AN APPROVED ALTERNATE DRAINAGE METHOD. EXTERIOR PAVING, CONCRETE SLABS, OR OTHER IMPERVIOUS SURFACES WITHIN 10'-0" OF THE FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BUILDING.
4. CONTRACTOR TO CHECK & VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR SAME.

PLAN DATE & PURPOSE

1/7/2020: CLIENT REVIEW SET #1

1/14/2020: CLIENT REVIEW SET #2

**TOWNSEND**  
RESIDENTIAL DESIGN  
PO BOX 1629 HEALDSBURG, CA 95448  
PH: 707.235.3155

PROJECT:  
McCormick Deck Addition  
1976 Lakeshore Blvd.  
LAKEPORT, CA 95453  
APN: 026-312-30

PROJECT:

SHEET TITLE:  
PROPOSED SITE PLAN

SHEET NUMBER:

PROJECT NUMBER:  
19037

**A1.0**



**PROPOSED SITE PLAN**

SCALE: 1" = 20'-0"



## **CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT**

**DATE:** September 14, 2022

**FILE NO:** 2022-11

**APPLICANT:** Mark Mitchell  
Lake County Contractors  
301 Industrial Avenue  
Lakeport, CA 95453

**OWNER:** Sunil Joshi  
25 C Street  
Lakeport, CA 95453

**LOCATION:** 301 South Main Street (05-501-31)

**GENERAL PLAN:** Central Business

**ZONING:** C-2, Major Retail

**STAFF CONTACT:** Victor Fernandez, Associate Planner

**REQUESTED ACTION:** The Planning Commission is being asked to review and approve an application for an Architectural and Design Review that would allow a 2,500 square-foot two-story laundromat and office building and a 563 square foot storage building to be located at 301 South Main Street, further described as APN 025-501-31.

**GENERAL PLAN AND ZONING DISTRICT:** The subject property is designated Central Business according to the City of Lakeport General Plan Land Use Map and is within the C-2, Major Retail zoning district according to the City Zoning Map. The proposed construction of a new laundromat, office, and storage building requires the approval of an Architectural and Design Review, subject to the objectives and regulations set forth in Chapter 17.27 of the Zoning Ordinance.

Section 17.27.020 of the Municipal Code indicates that Architectural and Design Review is required for the construction of new commercial, institutional and similar buildings. It further indicates that no building permit or other entitlement for remodel shall be issued until the site plan; the architectural elevations and related plans have been reviewed and approved by either the Planning Commission or Community Development Director as provided for in the Zoning Ordinance.

Based on the scale and scope of the project, staff determined the proposed project would require approval by the Planning Commission for the Architectural and Design Review (17.27.030.D).

**PROJECT DESCRIPTION:** The property is currently developed with a 1,164 square-foot service station currently known as Lakeport Express. The proposed project consists of constructing a 2,500 square-foot laundromat and office building as well as the construction of a 563 square-foot storage building at 301 South Main Street. In reference to Lakeport Municipal Code Section 17.10.030, both laundromats and offices are a use permitted within the C-2 zoning. The proposed laundromat and office would be within a two-story building proposed at the southwest portion of the property. The first floor would consist of the laundromat area, a mechanical room, and a restroom. The second floor of the building would include office spaces and a restroom as well. The new storage building would be expanded westward from the existing service station. The new buildings will be articulated to be consistent with the existing service station and will have cantilevers over the first floor.

In reference Section 17.23.050, the required number of parking spaces for a retail store or personal service establishment and offices is one space per 250 square feet of floor area. The total square feet for the proposed project is 4,227 square feet (Which includes the existing 1,164 square-foot service station). Therefore, the total number of parking spaces required is 17 parking spaces. The project includes a total of 18 parking spaces with one space being ADA compliant. The project would involve extending an ADA-accessible parking stall and ramp to the building.

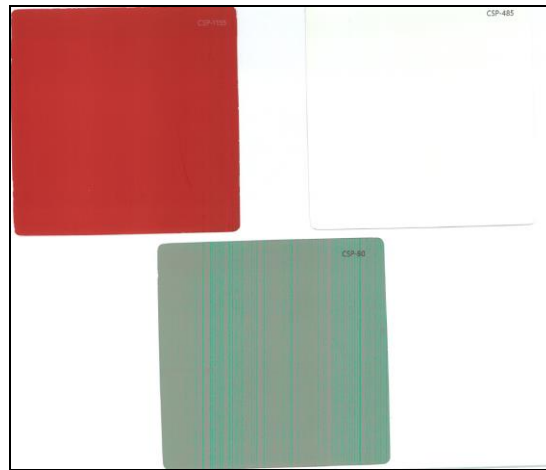
The purpose of Architectural and Design review is to ensure that buildings provide adequate architectural articulation and detail for attractive development. The applicant also proposes landscaping along the eastern side of the building that fronts South Main Street.

Colors chosen for this building are as follows:

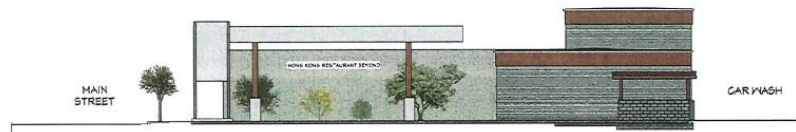
First Floor Body – White (CSP-485)

Fascia and Trim – Red (CSP-1155)

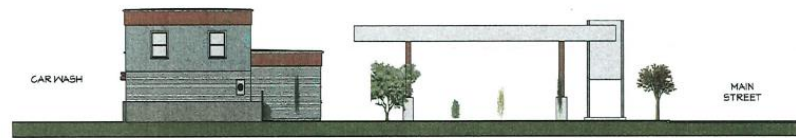
Second Floor Body – Medium Grey (CSP-80)



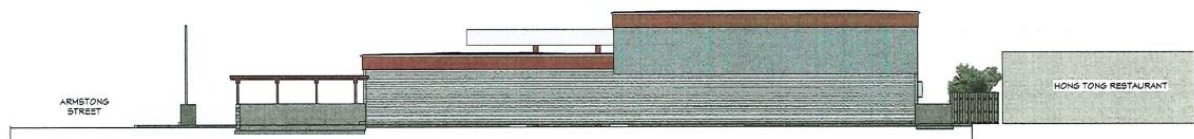
EAST ELEVATION - 1/8 IN = 1 FT



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

The building will have a 924 square-foot laundromat on the first floor and a 1,508 square-foot second floor that will contain office spaces. The existing propane service area will be reconstructed to screen the tank and waste containers on the northern portion of the property.

**AGENCY REVIEW COMMENTS:** The submitted plans were provided to the Building Official, City Engineer, City Public Works, Police and Fire District for their review.

- Building Official:
  - Project will require building permits.
  - The project is within the AO Flood Zone and shall meet the flood zone restrictions.
  - The plans will need to meet building code and ADA requirements.
  - Must meet storm drainage and grease interception requirements.
- City Engineer:
  - Streets and sidewalks are fully developed, and no additional work is required. However, all driveways shall be upgraded to ADA standards, and ADA stall and accessible path of travel is required.
- Community Development Director: Project is exempt from California Environmental Quality Act under Existing Facility. Confirm square footage addition. Minimize the driveway and move away from the corner, this will allow parking stall. C-2 setback is 0 feet. Tanks must meet setbacks and articulation is required.
- Public Works, Utilities: The applicant shall pay expansion fees. Backflow prevention required.
- City Police: No Police issues at this time.
- Fire District: Will need to know construction type.

Specific project conditions have been included to address agency comments received. Project Conditions of Approval and vicinity map are attached.

**ARCHITECTURAL AND DESIGN REVIEW APPLICATION FINDINGS:** As described, the proposed new 2,500 square-foot laundromat and office building, as well as the construction of a 563 square-foot storage building, are consistent with the architectural and design review standards set forth in Chapter 17.27 of the zoning ordinance as it relates to color, design, landscaping, lighting and parking. The proposed project design is compatible and complimentary to existing buildings at the site and in the general vicinity.

Finding 1: The proposed project is consistent with the purpose of the Lakeport Zoning Ordinance. The property is zoned C-2, Major Retail which allows offices and laundromats. The new structure, as proposed, with the incorporation of recommended conditions of approval is consistent with the Lakeport Zoning Ordinance.

Finding 2: The project is in substantial compliance with the design criteria. The materials and color associated with the new metal building located on the property reflects a design consistent with the existing buildings, and a harmonious design within the immediate area, and will not have a negative visual impact to State Highway 29. The project is in compliance with the criteria and standards for 17.27.110 Architectural and Design Review.

Finding 3: The project is consistent with the Lakeport General Plan. The project as proposed is consistent with the objective and policies of the Lakeport General Plan. The General Plan encourages commercial development designs which foster economic growth, reduce land consumption, and compliment adjacent land uses. The proposed addition reflects that objective by fostering economic growth, while complimenting adjacent land uses.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:**

Finding 4: The project is categorically exempt from the California Environmental Quality Act. The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act according to Section 15301 Existing Facilities (Class 1). The exemption reads as follows:

*Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. Examples include but are not limited to:*

*(e) Additions to existing structures provided that the addition will not result in an increase of more than:*

*(2) 10,000 square feet if:*

*(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*

*(B) The area in which the project is located is not environmentally sensitive.*

**Responses:**

- a) The project is located in an area where public services and facilities are available to support the project.
- b) The property is located in downtown Lakeport where heavy development has occurred. The property is not environmentally sensitive.

**CONCLUSION, RECOMMENDATION, AND CONDITIONS:** Based on the information provided by the applicant and the comments received from City staff, a finding is made that the 2,500 square-foot laundromat/office building, as well as the construction of a 563 square-foot storage building located at 301 South Main Street is in general conformance with the Lakeport Municipal Code Section 17.27.110 (Architectural and Design Review criteria and standards). The proposed new building design is compatible and consistent with existing development at this site and will not result in a significant visual impact to the traveling public on State Route 29. The proposed project has been determined to be exempt from the provisions of the California Environmental Quality Act according to Section 15301 of the CEQA guidelines. This section categorically exempts projects under in-fill development meeting the conditions described above.

Staff recommends that the Planning Commission approve the Architectural and Design Review application subject to the conditions of approval set forth in the staff report (Attachment B).

## **SAMPLE MOTION**

### Categorical Exemption Approval

I move that the Planning Commission find that Application 2022-11 as applied for by Lake County Contractors is categorically exempt pursuant to Section 15301 of the CEQA guidelines.

### Architectural and Design Review Approval

I move that the Planning Commission find that the Architectural and Design Review applied for by Lake County Contractors, on property located at 301 South Main Street Court does meet the requirements of Section 17.27.080 of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B), and with the findings listed in the September 14, 2022 staff report.

***The Planning Commission's approval of the applications shall be subject to the conditions of approval specified in the staff report and/or as amended by the Planning Commission at the public hearing.***

### **Attachments:**

Attachment A:	Vicinity Map
Attachment B:	Project Conditions Agreement
Attachment C:	Application; Site Plan, Floor Plan, Elevations, & Colors

cc: Applicant/Property Owner  
Planning Commission



**CITY OF LAKEPORT**  
**Community Development Department**  
**225 Park Street**  
**Lakeport, Ca 95453**

## ***PROJECT CONDITIONS AGREEMENT***

Land Use Application File No. 2022-11

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*This Agreement is entered into by **Mark Mitchell**  
(hereinafter Applicant).*

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### **RECITALS**

**WHEREAS**, Applicant/Owner applied to the City of Lakeport for an Architectural and Design Review approval for a 2,500-square foot (two-story) laundromat and office building, and a 563 square-foot storage building; and

**WHEREAS**, the City of Lakeport has reviewed and approved the project for conformance with the Architectural and Design Review criteria and standards set forth in Section 17.27.110 of the Lakeport Municipal Code; and

**WHEREAS**, the proposed project is hereby approved subject to the following conditions:

1. The applicant shall sign this standard City of Lakeport Project Conditions Agreement which lists the conditions of approval and shall agree to said conditions. A copy of the signed agreement shall be returned to the Community Development Department prior to operation.
2. The project shall be developed in accordance with the plans and specifications received by the City on August 8, 2022. Minor alterations may be approved in writing by the City of Lakeport Community Development Director or designee.
3. The applicant/owner shall maintain the exterior building features in good condition for the life of the project. Damaged or dilapidated portions of the structure or related improvements shall be repaired or replaced as necessary.
4. The project shall conform to the following requirements as outlined by the Building Official:
  - The applicant shall submit building permits prior to construction.
  - The project is within the AO Flood Zone. The project shall meet all flood zone requirements and restrictions.
  - The project shall meet storm drainage and grease interception requirements.

- The northern driveway on South Main Street shall be minimized and reduced from the corner, which will allow an additional parking stall.
  - The tanks must meet the minimum setbacks from buildings and property lines.
  - The project shall implement building articulation as identified on the plans.
- 5. All driveways shall be upgraded to ADA standards, and an accessible parking stall and path of travel is required prior to operation.
- 6. The applicant shall pay the stormwater mitigation fee, if applicable.
- 7. The applicant shall develop the structure's color in conformance with the approved plans.
- 8. The applicant shall pay the expansion fees for a new water meter to be set.
- 9. Ground-mounted mechanical equipment shall be provided with visual screens. Said screens shall be detailed on the building construction plans.
- 10. All exterior lighting serving the building shall be shielded, provided with property line cut-offs, and/or downlit so as to eliminate glare-related impacts to adjacent properties, the public right-of-way, or the State Route 29.

**NOW, THEREFORE, IT IS AGREED:**

1. That the applicant/owner has read and agrees to each and every item and condition herein.
2. That the development and use of the real property described herein shall conform to the conditions listed above and all City of Lakeport Ordinances and Resolutions where applicable.
3. That said conditions shall be binding on all owners or persons having or acquiring any right, title, or interest in said real property, or any part thereof, subject to this agreement.

**APPLICANT**

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SIGNATURE- Mark Mitchell  
Lake County Contractors

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Dated:

---



PLEASE PRINT NAME

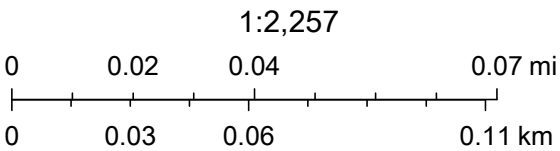
cc: Project File

# 301 S Main



8/31/2022, 10:31:56 AM

-  Lakeport Parcels (2022)
-  City Limit



Maxar, Microsoft  
Esri Community Maps Contributors, Lake County, CA, California  
State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin,  
SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of





City of Lakeport  
225 Park St – Lakeport CA 95453  
Phone: (707) 263-5613 EXT. 205 FAX: (707) 263-9314  
www.cityoflakeport.com

## LAND USE APPLICATION WITH ENVIRONMENTAL REVIEW

APPLICANT'S INFORMATION	LAND OWNER'S INFORMATION
Name <u>MARK MITCHELL</u>	Name <u>SUNIL JOSHI</u>
Company Name <u>LCC</u>	Company Name _____
Mailing Address <u>301 INDUSTRIAL AVE</u>	Mailing Address <u>25 C STREET</u>
City, State, Zip <u>Lakeport CA 95453</u>	City, State, Zip <u>Lakeport, CA 95453</u>
Phone <u>707-263-8482</u> Fax <u>8484</u>	Phone <u>404-992-0561</u> Fax _____
Email <u>MARK@LAKECOUNTYContractors.COM</u>	Email <u>SUNIL-143US@YAHOO.COM</u>

AGENT, ENGINEER, OR ARCHITECT'S INFORMATION (if any)	
Name <u>NAME</u>	Company Name _____
Mailing Address _____	Phone _____ Fax _____
City, State, Zip _____	Email _____

PROJECT INFORMATION	
Project location: <u>301 SOUTH MAIN STREET</u>	Assessor Parcel No.(s): <u>025-501-31</u>
Current land use: <u>C</u>	Size of existing parcel: <u>0.34 ACRES</u>
Current Zoning: <u>C-2</u>	Current General Plan Designation: _____
Subdivision tract name: _____	Lot and block numbers: _____
Description of proposed project: <u>CONSTRUCT NEW 2800 SF, 2-STORY, LAUNDRY MAT &amp; OFFICE BUILDING. INSTALL NEW LANDSCAPING &amp; LANDSCAPE AREAS. MAKE IMPROVEMENTS TO INTERIOR OF EXISTING BUILDING.</u>	

### ATTACH SUPPLEMENTAL INFORMATION AS REQUIRED

<u>Mark Mitchell</u> 12/13/21	<u>[Signature]</u>
<b>SIGNATURE OF APPLICANT</b>	<b>SIGNATURE OF LAND OWNER</b>
<b>DATE</b>	<b>DATE</b>

### LAND USE APPLICATIONS REQUIRED FOR PROPOSED PROJECT:

<input type="checkbox"/>	722.07	Abandonment of Right-of-Way	<input type="checkbox"/>	933.39	Lot Line Adjustment
<input type="checkbox"/>	2,075.23*	Annexation	<input type="checkbox"/>	124.67	Minor Exception
<input type="checkbox"/>	155.49	Archeological Review	<input type="checkbox"/>	489.45*	Formal Concept Plan Review
<input checked="" type="checkbox"/>	2,948.56*	Architectural & Design Review	<input type="checkbox"/>	88.87 & up**	Reapportionment – Sewer Assessment
<input type="checkbox"/>	746.98	Arch. & Design Review (Minor)	<input type="checkbox"/>	248.87	Shoreline Development
<input type="checkbox"/>	93.51	Arch. & Design Review (Small Project)	<input type="checkbox"/>	1,952.47*	Tentative Parcel Map
<input type="checkbox"/>	310.97	Approved Plan Revision	<input type="checkbox"/>	2,818.23*	Tentative Subdivision Map
<input checked="" type="checkbox"/>	140.08	Categorical Exemption	<input type="checkbox"/>	684.52	Use Permit, Major
<input type="checkbox"/>	280.16	Certificate of Compliance	<input type="checkbox"/>	180.52	Use Permit, Minor
<input type="checkbox"/>	1,306.94	Development Agreement	<input type="checkbox"/>	715.81	Variance
<input checked="" type="checkbox"/>	854.70	Environmental Review	<input type="checkbox"/>	233.23	Voluntary Merger
<input type="checkbox"/>	256.70	Fence Request	<input type="checkbox"/>	1,089.35	Zone Change
<input type="checkbox"/>	342.26	Free-Standing Sign	<input type="checkbox"/>	190.02*	Zoning Permit
<input type="checkbox"/>	809.19	General Plan Amendment	<input type="checkbox"/>		Other

\*Planning and Engineering Fees \*\* Engineering Fee

Total Fees Collected: \$ 3,088.64 Receipt # 177248 Initials SM Date 2/23/2022

2022-11

## SUPPLEMENTAL INFORMATION FOR VARIOUS LAND USE APPLICATIONS

Please answer questions and/or attach additional information appropriate to the type of land use(s) being applied for – see boxes checked on the bottom of the first page of this application to see which of the following applications apply

<b>APPROVED PLAN REVISION</b>	Description of original project _____ Description of revision being proposed _____	
<b>DEVELOPMENT AGREEMENT</b>	Floor area of proposed buildings _____ Number of parking spaces _____	
<b>ENVIRONMENTAL REVIEW</b>	Please complete the information requested on the next page.	
<b>FENCE REQUEST</b>	Cross streets _____ Description of proposed fence _____  Reason for fence _____ <b>ATTACH DETAILED SITE PLAN AND ELEVATION OF PROPOSED FENCE</b>	
<b>FREE-STANDING SIGN</b>	Sign maker name, address, phone _____ Description of proposed sign _____	
<b>GENERAL PLAN AMENDMENT</b>	<b>ATTACH WRITTEN STATEMENT RESPONDING TO GENERAL PLAN AMENDMENT CRITERIA – see attached information.</b> <b>ATTACH MAP / SITE PLAN AND LEGAL DESCRIPTION OF PROPERTY.</b>	
<b>LOT LINE ADJUSTMENT</b>	Assessor's Parcel No. _____ Size of parcel _____ Present use _____  Assessor's Parcel No. _____ Size of parcel _____ Present use _____	Assessor's Parcel No. _____ Size of parcel _____ Present use _____  Signature of adjacent landowner _____ Date _____ <b>ATTACH DETAILED MAP DRAWN TO SCALE ILLUSTRATING PROPOSED ADJUSTMENT</b>
<b>MINOR EXCEPTION</b>	Section of applicable Ordinance (Code) _____ Description of proposed exception _____  <b>ATTACH EXCEPTION JUSTIFICATION STATEMENT – see attached information</b>	
<b>TENTATIVE PARCEL OR SUBDIVISION MAP</b>	Number _____ and size of parcels to be created _____ Reason for requesting division of land _____  Will easements or rights-of-way be dedicated _____ Is sewer and water service available _____	
<b>SHORELINE DEVELOPMENT</b>	Describe the proposed shoreline development _____  <b>ATTACH SHORELINE DEVELOPMENT PLAN – see attached information</b>	
<b>USE PERMIT</b>	<b>ATTACH USE PERMIT JUSTIFICATION STATEMENT – see attached information</b>	
<b>VARIANCE</b>	Section of Ordinance (Code) being varied _____ Description of proposed variance _____  <b>ATTACH VARIANCE JUSTIFICATION STATEMENT – see attached instructions</b>	
<b>VOLUNTARY MERGER</b>	Description of proposed merger _____ Reason for requesting merger _____	
<b>ZONE CHANGE</b>	<b>ATTACH A WRITTEN EXPLANATION FOR REZONING REQUEST AND DISCUSS CONFORMANCE WITH THE GENERAL PLAN – see attached information.</b> <b>ATTACH MAP, SITE PLAN, AND LEGAL DESCRIPTION OF PROPERTY</b>	

**SUPPLEMENTAL INFORMATION FOR**  
**ENVIRONMENTAL REVIEW**  
**(PLEASE ANSWER ALL QUESTIONS)**

APPLICANT OR PROJECT NAME Lakeport Express  
 NUMBER OF FLOORS 2 MAX. HEIGHT 35 (FT.) NUMBER OFF-STREET PARKING SPACES 0  
 SQUARE FOOTAGE OF LANDSCAPING TO BE PROVIDED 160 SF NEW  
 PROPOSED CONSTRUCTION SCHEDULE JUNE 2022  
 ANTICIPATED INCREMENTAL DEVELOPMENT (PHASES) NA

**ARE THE FOLLOWING ITEMS APPLICABLE TO THE PROJECT OR ITS EFFECTS? DISCUSS BELOW ALL ITEMS CHECKED "YES" (ATTACH ADDITIONAL SHEETS AS NECESSARY)**

Y	N	
	X	Change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours.
	X	Change in scenic views or vistas from existing residential areas or public lands or roads.
	X	Change in pattern, scale, or character of general area of project.
	X	Significant amounts of solid waste or litter.
	X	Change in dust, ash, smoke, fumes, or odors in vicinity.
	X	Change in bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.

Y	N	
	X	Substantial change in existing noise or vibration levels in the vicinity.
	X	Site on filled land or on slope of 10 percent or more.
	X	Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
	X	Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
	X	Substantial increase in fossil fuel consumption (electricity, oil, propane, etc.).
	X	Relationship to a larger project or series of projects.

PROVIDE THE FOLLOWING ON A SEPARATE SHEET AND INCLUDE WITH ALL ATTACHED PLANS:

- ❖ IF **RESIDENTIAL**, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected.
- ❖ IF **COMMERCIAL**, indicate the type, whether neighborhood, city, or regionally oriented, square footage of sales area, and loading facilities.
- ❖ IF **INDUSTRIAL**, indicate type, estimated employment per shift, and loading facilities.
- ❖ IF **INSTITUTIONAL**, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

**ENVIRONMENTAL SETTING**

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, archaeological, or scenic aspects. Describe any existing structures on the site and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

Describe the surrounding properties, including information on plants and animals, and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, industrial, open space, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.



Justification Statement: Lakeport Express 301 South Main

The owners of Lakeport Express would like to expand the existing business footprint as well as construct a new 2-story commercial building. The existing convenience store would be expanded to the West to incorporate approximately 563 sf of additional space. The new commercial building to the South would have a 924 sf laundry mat on the first floor and 1500 sf of office space on the second floor. The existing propane service area would be reconstructed to hide the tank and waste containers. New landscape areas will be added to the East side of the new commercial building. The existing structure will continue the painted metal siding in "white and red" colors. The new commercial building will carry the same color scheme but use smooth plywood siding. The second story of the new structure will plywood siding painted a medium gray. The new structure will have recessed down lighting across the East elevation.

Attached are the three color sample:

"White" for the first floor body color.

"Red" for the facia and trim color.

Medium Grey for the second floor body color.

Sincerely

Mark Mitchell

Lake County Contractors Inc.

PO Box 1622, Lakeport, CA 95453

707-263-8482 office

707-357-0630 cell

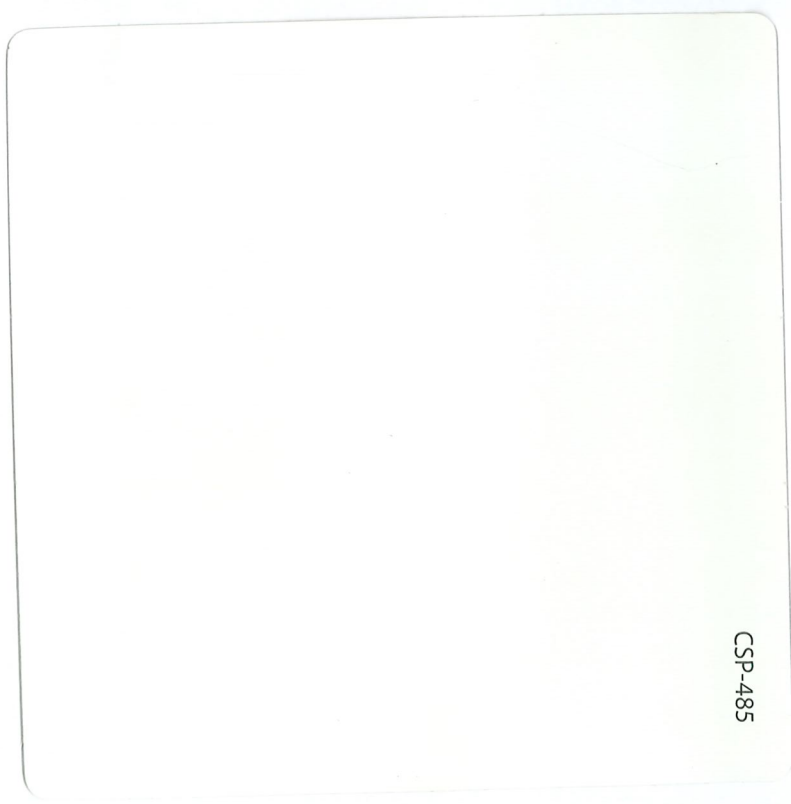
[mark@lakecountycontractors.com](mailto:mark@lakecountycontractors.com)



CSP-80



CSP-1155

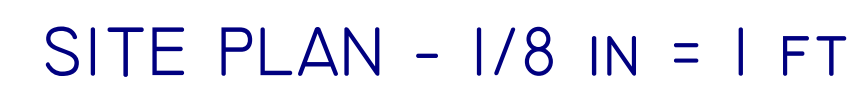


CSP-485

301 SOUTH MAIN, LAKEPORT CA 95453

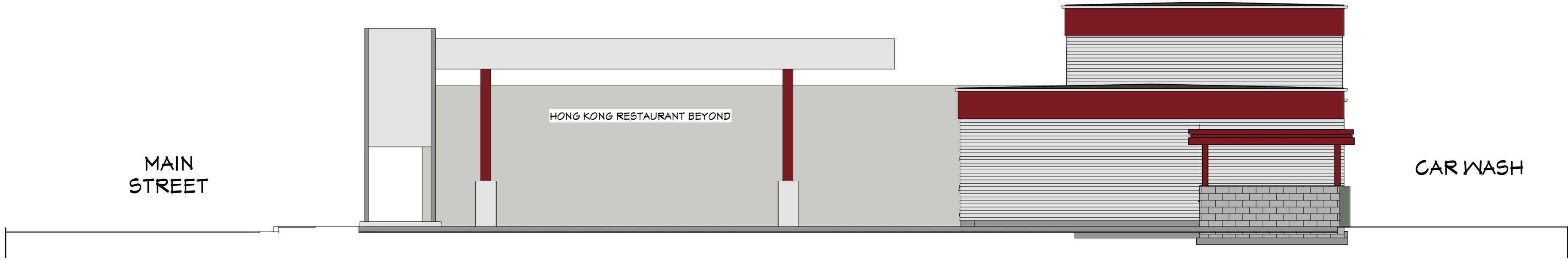
CONTACT INFORMATION:  
 JOSHI  
 301 SOUTH MAIN,  
 KEPORT CA 95453  
 404-992-0561  
 APN: 025-501-31

C:/Users/mark/OneDrive -  
kecountycontractors.com/LCC Company  
files/PROJECTS/Lakeport Express/Lakeport  
Express NEW layout

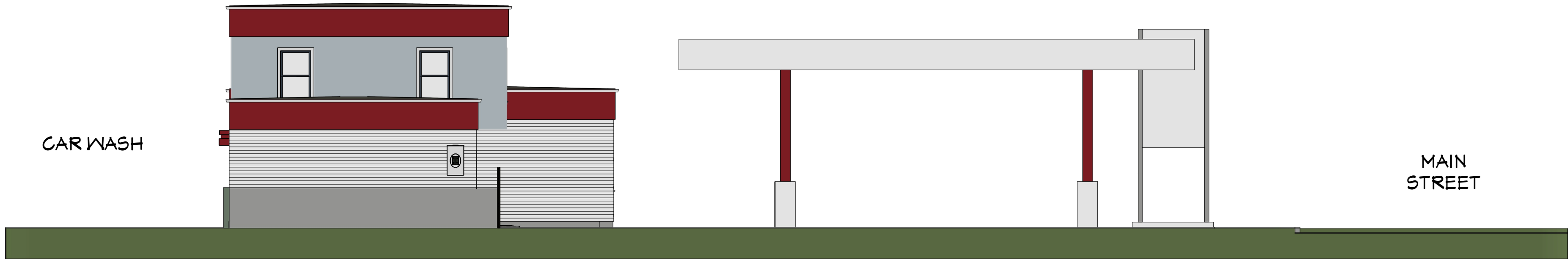




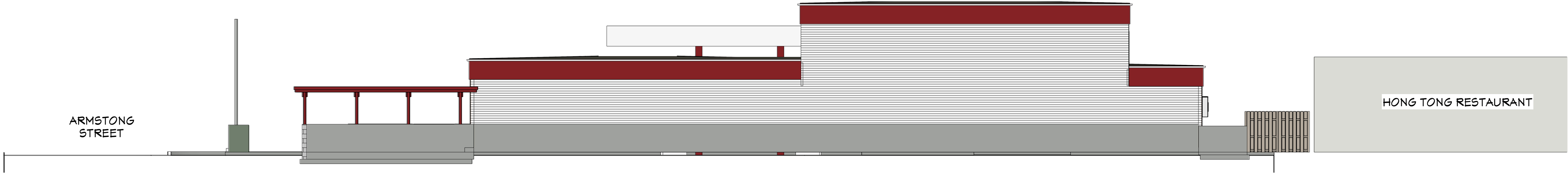

EAST ELEVATION - 1/8 IN = 1 FT



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



## CITY OF LAKEPORT PLANNING COMMISSION

### MEMORANDUM

**RE:** Outdoor Dining Design Guidelines

**MEETING DATE:** September 14, 2022

**SUBMITTED BY:** Jennifer M. Byers, Community Development Director

**PURPOSE OF REPORT:** ☐ Information only ☒ Discussion ☒ Commission Action

#### **WHAT IS BEING ASKED OF THE PLANNING COMMISSION:**

The Planning Commission is requested to hold a public hearing and consider amending the Lakeport Municipal Code to incorporate Outdoor Dining Design Guidelines.

#### **DISCUSSION:**

On May 3, 2022, City Council requested staff to prepare an item for further discussion on the continued allowance of emergency temporary use zoning permits and provide an update on action to develop permanent outdoor dining standards.

On May 17, 2022, City Council directed staff to continue to work with the Planning Commission on the design standards for outdoor dining. The Community Development Department (CDD) published an Outdoor Dining and Design Options Survey for City of Lakeport residents, business owners, and visitors. The survey was active from May 25, 2022, to June 1, 2022, which consisted of seven (7) questions and staff received a total of 638 responses with feedback in regards to the preferred design standards.

On July 27, 2022, the Planning Commission directed staff to develop draft design guidelines and procedures for their review. Staff has been working on developing these design guidelines and procedures for permanent outdoor dining opportunities. The community survey has allowed City Staff to gather input on the preferred design standards.

Staff has created draft guidelines and procedures for the Planning Commission and the public to review and provide feedback. Staff is requesting that the Outdoor Dining Design Guidelines be adopted by resolution with a text amendment ordinance that would reference the guidelines adopted by resolution in the Municipal Code.

The specific section of the Zoning Ordinance to be replace the language in Section 17.22.020(H) Outdoor Food Service, Tables, and Seating Placement on Sidewalks. Proposed revised language would read, "Section 17.22.020(H) Outdoor Dining 1. All Outdoor Dining shall comply with the Outdoor Dining Design Guidelines as adopted by the city of Lakeport by resolution of the city council. 2. If an applicant proposes a project that does not comply with the Outdoor Dining Design Guidelines, the project will be deemed

incomplete and the applicant shall be subject to Architectural and Design Review by the Lakeport Planning Commission in Compliance with Section 17.27.020."

Staff recommends that businesses that utilized the Emergency Temporary Use Zoning Permits be provided no more than three (3) months from adoption of guidelines to submit an application and no more than six (6) months to finalize the construction, at which time staff will remove the city owned water-filled barricades that are currently serving as traffic protectors.

An area not addressed in the Outdoor Dining Design Guidelines is the payment of fees for the use of Sidewalk and Parklet space. Staff is recommending that the Guidelines be approved through the Zoning Permit Process and allow flexibility for an applicant to apply for an Architectural and Design Review if unable to comply with the Standards. The Land Use Application fees are as follows:

\$190.02	Zoning Permit
\$180.52	Use Permit, Minor
\$684.42	Use Permit, Major
\$746.98	Architectural & Design Review, Minor
\$2,948.56	Architectural & Design Review

The Planning Commission can make a recommendation to the City Council on the setting of fees or defer to Council for a determination.

#### **OUTDOOR DINING DESIGN STANDARDS CONTENT:**

The following sections have been included for Planning Commission's review and consideration:

1. Purpose
2. Applicability
3. Permit Requirements
4. Standards for all Outdoor Dining
5. Additional Standards for On-Street Dining (Parklets)
6. Notice for Outdoor Dining Removal
7. Term and Transfers

#### **OPTIONS:**

1. After conducting the public hearing, direct staff to make specific modifications to the Outdoor Dining Design Guidelines and recommend approval to the City Council.
2. After conducting the public hearing, direct staff to make modifications to the proposed Guidelines and bring an item back to the Planning Commission for further discussion.
3. After conducting the public hearing, take no action or deny the request.

#### **SUGGESTED MOTIONS:**

##### CEQA Not Applicable Determination

I move that the Planning Commission find that Text Amendment 2022-17, pertaining to the amendment of the Lakeport Municipal Code, has been determined to not be subject to the California Environmental Quality Act as it meets the criteria established in Section 15378(b)(5) as the administrative activities of governments not resulting in physical changes to the environment.

Text Amendment to the Municipal Code Recommendation to the City Council

I move that the Planning Commission forward a recommendation to the City Council to adopt an Ordinance that modifies language in the Lakeport Municipal Code relating to the Outdoor Dining Design Guidelines to be approved by Resolution.

☒ **Attachments**

1. Outdoor Dining Design Guidelines
2. Draft Ordinance Title 17 Land Use, Zoning and Signs
3. Draft Resolution – Lakeport Outdoor Dining Design Guidelines





# OUTDOOR DINING DESIGN GUIDELINES

**CITY OF LAKEPORT**

*August 2022*

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## **1. PURPOSE**

The purpose of these design standards is to provide the minimum architectural and site design requirements for Outdoor Dining.

After the COVID-19 pandemic, City of Lakeport residents, business owners, and visitors recognized that there is a common desire to integrate outdoor dining design standards and guidelines that provide a cohesive and aesthetic nature. These residents, business owners, and visitors participated in public hearings with the City of Lakeport City Council and Planning Commission, as well as participated in a widely distributed survey. The survey results identified that the majority of recipients were in favor of outdoor dining and provided input for these design standards.

Outdoor dining is a great way to add liveliness to the City of Lakeport and to support local business operations. The City of Lakeport has created the following standards and guidelines to provide local businesses the opportunity to expand their operations to outdoor dining and supplement the development regulations established in Title 17 of the Lakeport Municipal Code. Due to the unique circumstances of each proposed project, these guidelines may not be applicable in all cases. Similarly, there may be instances where city staff requires additional design elements not covered in these guidelines. The city will review the permit applications and will only approve outdoor dining that are able to meet the design requirements and those that are determined by staff to meet traffic safety standards. For any applicant seeking exceptions or deviations to the standards contained herein, may request an Architectural and Design Review Permit (§17.27) subject to Planning Commission discretionary design review process.

## **2. APPLICABILITY**

The standards established in these guidelines shall apply to all Outdoor Dining projects including:

### **A. SIDEWALK DINING**

Sidewalk dining involves the placement of tables, chairs, and other amenities in the public sidewalk area. The City of Lakeport is allowing sidewalk dining to occur only where the sidewalk is wide enough to allow for pedestrians to pass by the outdoor seating and comply with all ADA requirements with approval of a Zoning Permit, in compliance with Chapter 17.22.020(H) of the Municipal Code. Upon submittal of the application, City staff may review and approve locations compliant with the application requirements.

### **B. ON-STREET PARKING SPACE DINING (PARKLETS)**

Parklets are dining areas located in on-street parking spaces in the public right-of-way. These dining areas have become commonplace in many urban areas. The granting of the use of adjacent street parking of the public right-of-way shall be limited to only those qualifying businesses without the option of converting other outdoor areas on the property (i.e. on-site parking, private open space area, existing outdoor covered area, etc.) with approval of a Zoning Permit, in compliance with Chapter 17.22.020(H) of the Municipal Code.

### **C. PRIVATE PROPERTY OUTDOOR DINING**

Private property areas refer to shopping centers and stand-alone commercial properties that have their own designated private open space area, and parking areas. Restaurants must have the permission of the property owner if the area is within private parking areas. A Zoning Permit in compliance with Chapter 17.22.020(H) of the Municipal Code will be required for outdoor dining areas. The parking lots must still comply with all ADA standards, including ADA paths of travel and

adequate provision of handicapped parking spaces pursuant to the California Building Code Section 11B. Internal traffic circulation, as well as driveway entrances and exits shall remain unobstructed.

### **3. PERMIT REQUIREMENTS**

In compliance with Chapter 17.22.020.H of the Zoning Ordinance, a Zoning Permit is required for outdoor food service that complies with the Outdoor Dining Design Guidelines. Permit applications must be submitted prior to the construction of any new parklet or the modification of any parklet permitted under the Temporary Outdoor Dining program.

The following submittals are required:

- Zoning Permit Application
- Plan sets are required. It is recommended that plans be prepared by a design professional, such as an architect or engineer. The submitted plans should show the proposed layout of the parklet including:
  - The parklet location (business frontage, site address, parking space, etc.)
  - Dimensions of the parking stall(s), parklet structure including platform, railings, stormwater access, and traffic travel lanes in the immediate area and in the proposed parklet.
  - Traffic protection measures and dimensions of the setbacks from adjacent parking spaces and adjacent traffic lanes.
  - Location of any public utilities in the street including curb drains, manhole covers, water shut-off valves, sidewalk utility boxes, streetlight poles, gutter drains, fire hydrants, etc.
- Materials – Use color photo samples to demonstrate:
  - Materials and plants to be used within the parklet/sidewalk.
  - Railing materials.
  - Platform materials.
- A valid City of Lakeport Business License.
- Evidence of current insurance coverage including a Certificate of Liability Insurance and Endorsements with the City named as Additional Insured, at an amount approved by the City.
- Inspections – The City will be making a pre-inspection to verify the site is suitable for outdoor dining in accordance with the submitted plans. Additionally, periodic safety inspections will be conducted to ensure safety and conformance with the approved plans. The City reserves the right to require adjustments or removal of any elements if deemed unsafe.
- Minimum Width of Sidewalk Clearance - The city has identified areas where the ADA pathway shall be located which include five (5) feet of clearance. Upon submittal of plans, conformance with ADA clearance will be inspected and confirmed.

### **4. STANDARDS FOR ALL OUTDOOR DINING**

#### **Design of the perimeter**

Perimeters are meant to set boundaries for the section provided for tables, chairs, and other amenities for outdoor dining uses. The perimeter may include but is not limited to fences, hedges, and planters. See figures 1-3 for acceptable designs. While these examples are specifically parklets, they are representative of types of perimeters for all projects.



*Figure 1: Planters with rails/wires*



*Figure 2: Variation of planter design.*



*Figure 3: Combination of aesthetic fence, planters, and pergola.*

## Height of Perimeter

The height of any perimeter may not exceed three (3) feet. The bottom of the rope/chain/fence must not exceed six (6) inches above the sidewalk surface. In the case of planters, the planter itself shall not exceed three (3) feet; the plant (live or artificial) height shall not exceed six (6) feet measured from the ground.

## Amenities

The following amenities are allowable for outdoor dining:

- **Portable Heaters** - Space heaters are permitted if they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material. Heaters are not allowed under umbrellas but can be placed near them if clearances are maintained.
- **Decorative Lighting** - Lighting is encouraged and may be provided through electrical connections to the building and shall be covered so as not to present a tripping hazard. Solar powered lighting is strongly encouraged. Lighting shall not be directed towards the roadway to unintentionally cause glare for vehicles. Light strings must be hung to allow for a minimum clearance of ten (10) feet above the sidewalk and the platform of the parklet.
- **Umbrellas** - Umbrellas shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than eighty (80) inches above the parklet platform. Umbrellas must be free of advertisements. The umbrellas must be contained within the outdoor dining area only, and shall not encroach onto the ADA-accessible pathway. Market style umbrellas, designed specifically for patio or outdoor restaurant use are preferred.
- **Pergolas** – A pergola is an outdoor structure consisting of columns that support a roofing grid of beams and rafters. Pergolas shall be constructed in conformance with the California Building Code and shall not exceed eight (8) feet in height from the top of the platform for on-street dining or ten (10) feet in height for private property dining areas.



*Figure 4: Portable Heater and Decorative Lighting*



*Figure 5: Market Style Umbrellas*

### **Materials**

All furniture materials shall be of durable quality and fire-resistive.

### **Failure to Maintain**

Outdoor dining areas shall be maintained free of litter, refuse and debris. The area shall remove any food or drink stains on a daily basis. Such cleaning shall be in accordance with the City's Storm Water Management Program, which prohibits any discharge other than storm water into the storm water drainage system.

The City of Lakeport may revoke the permit due to failure to comply with the terms and conditions of the permit.

## **5. ADDITIONAL STANDARDS FOR ON-STREET DINING (PARKLETS)**

### **LOCATION CRITERIA**

- **Adjacency to Storefront** – Parklets may only be installed along the frontage of the storefront that is applying for the parklet. Minor encroachments on adjacent storefront frontages may be allowed depending on the dimensions of the parking stalls being used for the parklet installation. Parklets shared with adjacent businesses will be considered on a case-by-case basis. The shared parklet area cannot exceed the frontage for the combined businesses.
- **Bike Lanes** – Parklets cannot obstruct a bicycle lane or path.
- **Parklet Width** – Parklets must stay within the designated parking stall area.
- **Fire Hydrants** – Fire hydrants shall not be blocked. A 15-foot clearance from the hydrant (7.5 foot each side) along the curb shall be maintained. A 3-foot buffer around the hydrant on all sides should also be maintained.

### **DESIGN CRITERIA**

- **Materials** – Platforms must be constructed from durable materials that can withstand wear and tear of elements. Pouring concrete for parklet platforms is not allowed. Concrete pavers on a platform structure would be allowed. Surface materials must be textured or treated with a non-

skid coating to ensure a safe walking surface. Loose particles, such as sand, or loose stone, are not permitted.

- **Maintenance Access** – Parklets must be designed to provide access under the platform to allow for maintenance (i.e. repairs or clearing debris). If the platform base is not a solid mass, access can be provided through access panels, removable pavers or other means.
- **Drainage** – Platform shall allow for curbside drainage flow. A 6-inch height by 12-inch width minimum clear gutter space must be provided along the entire length of the proposed platform. Openings at either end of the parklet may be covered with screens to prevent debris building beneath the platform and in the gutter. It is the responsibility of the permittee to clean the cover or screen to prevent any backup of storm water. All parklets must provide access through the parklet platform or threshold to the gutter adjacent to the curb.

### **ADA ACCESSIBILITY**

All accessibility elements of the proposed platform shall be designed, constructed and/or conform to the applicable provisions, rules, regulations and guidelines of the California Building Code and Americans with Disabilities Act.

- Accessible Platform Surface: The portion of the parklet platform connected by the accessible path of travel to the wheelchair turning space and wheelchair resting space must be level. The accessible platform surface maximum cross slope (perpendicular to the sidewalk or curb) and running slope (parallel to the curb) cannot exceed 2%.
- Accessible entry: Shall be a minimum of 48 inches wide.
- Accessible path of travel must connect the sidewalk to the accessible entry, platform surface, wheelchair turning space and wheelchair resting space.
- Wheelchair turning space shall be 60 inches in diameter and located entirely within the platform; a 12-inch maximum overlap on the curb and sidewalk is acceptable.
- Wheelchair landing: A 30- by 48-inch clear floor area. It is permitted to overlap with the Wheelchair Turning Space by 24 inches maximum in any orientation.

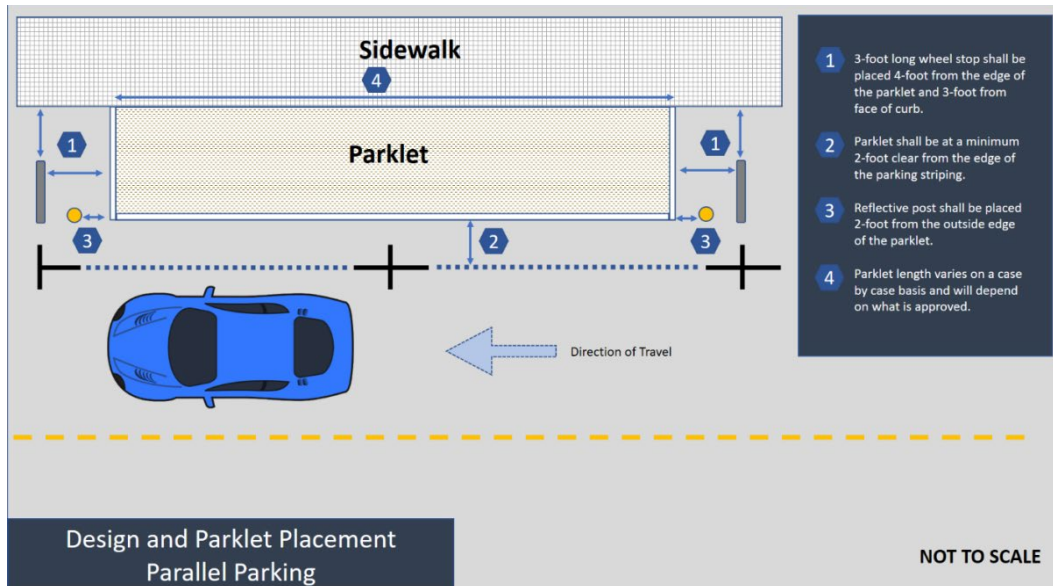
### **VEHICULAR PROTECTIONS**

Parklets will be required to provide traffic protections outlined in this section:

- **Wheel Stops** -- To help protect against moving traffic and parking cars, parklets in parallel parking spaces must be buffered using a wheel stop at a distance of 4-foot from the parklet and 3-foot from the face of curb (see Design and Parklet Placement diagram for additional detail). This buffer may also serve as a space for adjacent property owners to accommodate curbside trash collection.

Wheel stops may be purchased from any vendor but must meet these specifications:

- Three (3) feet long
  - Black rubber with yellow stripes
  - Mounted with bolts
  - Installed four (4) feet from outside ends of Parklet which occupies parallel parking spaces
  - Installed three (3) feet from the curb
- **Reflective Bollards** – To assist drivers with ensuring visibility of parklet configurations reflective bollards shall be required to be installed two (2) feet from the outside edge of the parklet configuration.



- Vehicular barriers for private property dining configurations – Vehicular barriers shall be placed on the perimeter of the outdoor dining that fronts all portions of the configuration that is accessible to vehicles.

#### **OPERATIONAL STANDARDS AND SAFETY**

- **Responsibility** –The permit holder is responsible for securing the parklet and any fixtures and furnishings contained within it during hours when the associated business is not in operation.
- **No Outdoor Food Preparation** – No heating, cooking or open flames are permitted in a parklet. Examples of types of foods that is considered outdoor cooking are hotpots, table-top barbeques, raclettes, fondues, etc. In addition, outdoor restaurant busing stations are not allowed.
- **No Open Flames** - Candles and open flames are not allowed on the parklets.
- **Alcohol Service** – Restaurants and food establishments licensed by the State of California will be permitted to sell on-premise consumption of alcoholic beverages. Alcohol service is only allowed under full-service conditions and alcoholic beverages must be consumed in parklets. Establishments that serve alcoholic beverages in the parklet area shall be required to meet all requirements of the Alcoholic Beverage Control Board and any other federal, state, or local laws and regulations governing the sale and consumption of alcoholic beverages.
- **Site Maintenance** – Parklets shall be maintained free of litter, refuse and debris. The area shall be scrubbed and mopped to remove any food or drink stains on a daily basis by the permittee. Such cleaning shall be in accordance with the City’s Storm Water Management and Discharge Control Program, which prohibits any discharge other than rainwater into the stormwater drainage system. The applicant will be required to have bi-annual inspections or as determined to be necessary by the Public Works Department to ensure that there are no obstruction to the gutters.
- **ADA Compliance** – Outdoor dining seating areas must comply with all requirements of the Americans with Disabilities Act (ADA) and provide sufficient clearance and walkway space to allow safe access and egress.

- **Hours of Operation** – The outdoor dining shall adhere to the same approved hours of operation as the associated business.
- **Bolting Not Allowed** – Outdoor dining platforms shall not be bolted or affixed in any way to the roadway or structure (including but not limited to: sidewalk, buildings, fire hydrants, street trees, street lights, traffic poles, etc.).
- **Visibility** – All outdoor dining enclosures shall not block the view of conflicting movements of traffic, including pedestrian traffic. All railings/enclosures must have retro-reflective reflectors or retro-reflective tape on the corners of the parklet facing the travel lane such that they are visible by vehicular traffic at night.
- **Electrical** - All wiring and electrical cords must be exterior rated, GFCI protected, and UL listed. Cords must not create tripping hazards on the sidewalk. If the cords cross above the sidewalk, they must provide a minimum clearance of ten (10) feet above the sidewalk and the platform of the parklet. The use of adapters is prohibited. Businesses are not permitted to tap into existing City electrical connections such as twinkle light outlets or streetlight poles. Generators will not be permitted in association with parklets.
- **Damaged Equipment** - Applicants are required to repair any damages to the roadway caused by the installation of the parklet or wheel stops when later removed. Any repairs shall be performed under a separate encroachment permit and in accordance with applicable City standards for roadway construction.

## 6. NOTICE FOR OUTDOOR DINING REMOVAL

The City and/or utility companies may need to access the sidewalk, street, or parking lot for maintenance, repairs, events, and/or other purposes. While the City and/or utility companies will attempt to give 72-hour advance notice, it may not be possible when dealing with emergency repairs. Additionally, the City will not cover business losses related to the loss of seating or business interruptions due to construction.

## 7. TERM AND TRANSFERS

Permits for sidewalk and parklet dining permits are valid for a maximum of one year. The applicant shall renew permits annually and pay for permit fees and update any new information, as well as provide updated Certificates of Liability Insurance. The applicant may only use the outdoor dining area for their business. The applicant may not lease/rent or receive funds for the seating area to another operator.

**ORDINANCE NO. (2022)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEPORT  
AMENDING SECTIONS 17.22.020(H) TO THE LAKEPORT MUNICIPAL  
CODE GOVERNING OUTDOOR DINING**

**WHEREAS**, On May 21, 2020, due to the COVID-19 Health Emergency and resulting severe economic impacts, the City Manager authorized Executive Order No. 2020-02 which approved a process for Emergency Temporary Use Zoning Permits (“Permits”) to expand the temporary use of property for businesses impacted by COVID-19 with a no fee, expedited permit and delegated approval authority for review and approval; and

**WHEREAS**, After several meetings with the Planning Commission and City Council, staff was directed to prepare a survey targeting the input of Lakeport residents, business owners and visitors. The survey received a total of 638 responses to seven questions that included design concepts; and

**WHEREAS**, On July 13, 2022, the Lakeport Planning Commission directed staff to prepare Outdoor Dining Design Guidelines in accordance with the overwhelming majority of those wanting an outdoor dining program to continue beyond the Emergency Temporary Use Zoning Permits; and

**WHEREAS**, On September 14, 2022, the Planning Commission recommended that the City Council adopt the following amendments to the City of Lakeport Municipal Code Section 17.22.020(H) regarding Outdoor Dining and the reference to the adoption of a Resolution for the Lakeport Outdoor Dining Design Guidelines; and

**WHEREAS**, On \_\_\_\_\_, 2022, the City Council held a noticed public hearing regarding the zoning code amendment and environmental determination and, notice of said hearing including the proposed CEQA exemption determination was published in the *Record Bee* at least 10 days prior to the hearing; and

**WHEREAS**, the City Council finds the proposed text amendment is consistent with and necessary to carry out the policies of the City’s adopted General Plan because the proposed amendments modifying the requirements for object design and development standards, will not permit uses that are inconsistent with the Land Use Element; and

**WHEREAS**, the proposed text amendment will not adversely affect the public health, safety, or welfare as the amendments do not authorize any land uses with adverse impacts on the public health, safety, or welfare, and the amendments maintain existing protections in the City of Lakeport Municipal Code against the maintenance of any land use that constitutes a public nuisance; and

**NOW, THEREFORE, BE IT ORDAINED THAT THE CITY COUNCIL OF THE CITY OF LAKEPORT DOES AMEND CHAPTER 17 OF THE LAKEPORT MUNICIPAL CODE AS FOLLOWS:**

**SECTION 1: Recitals.** The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full

**SECTION 2: Text Amendments.** City of Lakeport Municipal Code Section 17.22.020(H) is hereby amended to read as follows:

17.22.020(H) Outdoor ~~Dining Food Service, Tables, and Seating Placement on Sidewalks.~~

~~1. Outdoor food service and seating activities may be conducted on sidewalk areas in conjunction with an existing restaurant, sandwich shop, coffee shop, and similar food service businesses located within a building in the commercial districts.~~

~~2. The outdoor seating location shall be defined on a map submitted with the zoning permit application and shall be limited to the storefront area or the minimum area necessary for outdoor seating facilities. All outdoor seating facilities shall generally be located adjacent to the building or structure unless otherwise specifically approved by community development department staff.~~

~~3. Outdoor food service and seating activities shall not obstruct sidewalk areas or block building entries or exits. All equipment related to outdoor seating activities shall be maintained in a clean condition, and the activities shall be conducted and maintained in a neat and orderly manner.~~

~~4. Outdoor seating facilities in the downtown area shall be of a bistro or Victorian style utilizing high quality and durably constructed sidewalk furniture. All sidewalk furniture shall be approved by the community development department prior to its use.~~

~~5. A minimum sidewalk and doorway clearance of thirty-six inches shall be maintained at all times within areas of outdoor seating.~~

~~6. Each outdoor seating business owner in the downtown area shall sign and submit a hold harmless agreement.~~

~~1. All Outdoor Dining shall comply with the Outdoor Dining Design Guidelines as adopted by the city of Lakeport by resolution of the city council.~~

~~2. If an applicant proposes a project that does not comply with the Outdoor Dining Design Guidelines, the project will be deemed incomplete and the applicant shall be subject to Architectural and Design Review by the Lakeport Planning commission in compliance with Section 17.27.020.~~

**Section 3. CEQA.**

The proposed text amendment is not subject for review under the California Environmental Quality Act under California Code of Regulations, Title 14, Sections 15062 of the CEQA Guidelines because it does not meet the definition of a project under CEQA Guidelines Section 15378(b)(5) as the language modifies modified previously approved and evaluated language in the Municipal Code and provides additional standards for Outdoor Dining; therefore, has no potential for resulting in physical changes in the environment, directly or indirectly.

**Section 4. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The city council hereby declares that it would have passed this and each section,

subsection, phrase, or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional on their face or as applied.

**Section 5. Effective Date.** This ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

**Section 6. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting the entire text.

INTRODUCED and first read at a regular meeting of the City Council on the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

FINAL PASSAGE AND ADOPTION by the City Council of Lakeport occurred at a meeting thereof held on the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Stacey Mattina, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Buendia, City Clerk  
City of Lakeport



**RESOLUTION NO. \_\_\_\_ (2022)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEPORT  
ADOPTING THE LAKEPORT OUTDOOR DINING DESIGN GUIDELINES**

**WHEREAS**, On May 21, 2020, due to the COVID-19 Health Emergency and resulting severe economic impacts, the City Manager authorized Executive Order No. 2020-02 which approved a process for Emergency Temporary Use Zoning Permits (“Permits”) to expand the temporary use of property for businesses impacted by COVID-19 with a no fee, expedited permit and delegated approval authority for review and approval; and

**WHEREAS**, After several meetings with the Planning Commission and City Council, staff was directed to prepare a survey targeting the input of Lakeport residents, business owners and visitors. The survey received a total of 638 responses to seven questions that included design concepts; and

**WHEREAS**, On July 13, 2022, the Lakeport Planning Commission directed staff to prepare Outdoor Dining Design Guidelines in accordance with the overwhelming majority of those wanting an outdoor dining program to continue beyond the Emergency Temporary Use Zoning Permits; and

**WHEREAS**, on September 14, 2022, at the regularly scheduled Planning Commission meeting, the Planning Commission held a noticed public hearing regarding the adoption of Outdoor Dining Design Standards; and

**WHEREAS**, on September 14, 2022, the Planning Commission received and considered all public testimony, documentary evidence and staff recommendations submitted at the public hearings, and recommended that the City Council consider the environmental determination, approve of the text amendment ordinance, and adopt the resolution implementing the Outdoor Dining Design Guidelines; and

**WHEREAS**, at its September 14, 2022 meeting the Planning Commission recommended that the City Council adopt the text amendment to the City of Lakeport Municipal Code Section 17.22.020(H) regarding the adoption of a Resolution for the Lakeport Outdoor Dining Design Guidelines; and

**WHEREAS**, on \_\_\_\_\_, 2022, the City Council held a noticed public hearing regarding the environmental determination, zoning code amendment, and the Outdoor Dining Design Guidelines was published in the *Record Bee* at least 10 days prior to the hearing; and

**WHEREAS**, on \_\_\_\_\_, 2022, the City Council received and considered all public testimony regarding the actions to approve the Outdoor Dining Design Guidelines including consideration of the Planning Commission determination.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lakeport does hereby make the following findings:

Section 1. Recitals. The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

Section 2. The City Council adopts the Lakeport Outdoor Dining Design Guidelines, attached as Exhibit A.

Section 3. That approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted.

Section 4. California Environmental Quality Act

The proposed text amendment is not subject for review under the California Environmental Quality Act under California Code of Regulations, Title 14, Sections 15062 of the CEQA Guidelines because it does not meet the definition of a project under CEQA Guidelines Section 15378(b)(5) as the language modifies modified previously approved and evaluated language in the Municipal Code and provides additional standards for Outdoor Dining; therefore, has no potential for resulting in physical changes in the environment, directly or indirectly.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Lakeport at a regular meeting held on the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Stacey Mattina, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Buendia, City Clerk  
City of Lakeport

**PLANNING PROJECTS PENDING**  
**as of**  
**SEPTEMBER 1, 2022**

No.	Staff Assigned	File No./Name	Date Received	Progress	Next Action	PC / Staff Level
1.		GPA & Zoning Inconsistencies	6/2/2016	Staff currently preparing required exhibit maps and ordinance language for recommended General Plan and Zone changes.	C.C. review (May / June)	<b>P.C. Approved 8/15/2018</b>
2.		Microenterprise Home Kitchen – AB626 Application# 2020-25		Consideration of the recent Lake County ordinance permitting Microenterprise Home Kitchens in accordance with AB 626.		
3.		Peter Caravella – Application # 2021-21 – 1220 & 1240 Central Park Ave.	6/23/2021	Voluntary merger of two contiguous parcels.	Waiting on further information from applicant.	<b>Staff Review</b>
4.		Sunil K. Joshi / Ryan Villanueva Construction – Application #2021-27 – 25 C Street	8/25/2021	Application for a Shoreline Development permit to replace a failing sea wall.	Staff Review	<b>Staff Review</b>
5.		Waterstone Residential / Peter Schellinger – Application #2021-31 – 1310 Craig Avenue	10/19/2021	Application for a Zone Change, Tentative Subdivision Map, Environmental Review, and General Plan Amendment for a new 128-unit apartment complex and 48 cluster homes.	PC Review	<b>PC Review</b>
6.		Martin Street Phase III – Application #2022-		Application for an Environmental Review and Zone Change for the development of a 40-unit affordable multi-family housing project.		<b>PC Review</b>
7.		Metro Investment Group – Application #2022-04 – 366 Third Street	2/8/2022	Application for a Use Permit for a Short-term rental that would allow the use of an existing single-family dwelling as an Airbnb.	Waiting on amended submittal.	<b>PC Review</b>

8.		Lake County Contractors – Application #2022-11 – 301 S Main Street	2/23/2022	Application for an Architectural and Design Review and Categorical Exemption to construct a new 2,800 sf, 2 story Laundry Mat and office space.	PC Review	<b>PC Review 9/14/2022</b>
9.		Cory McCormick – Application #2022-14 – 1976 Lakeshore Blvd.	4/11/2022	Application for a Uset Permit to allow for a Short-term Rental that would allow the use of an existing single-family dwelling as an Airbnb.	PC Review	<b>PC Review 9/14/2022</b>
10.		Venquest Investments dba KFC– Application# 2022-13 1135 Lakeport Blvd.	4/18/2022	Application for an Architectural and Design Review and Categorical Exemption for exterior façade improvements.	Waiting on further information from applicant.	<b>PC Review</b>
11.		Amirrea Hajimohammad – Application# 2022-19 1095 N Main St.	5/16/2022	Application for an Architectural and Design Review and Categorical Exemption to construct a new 1,958 sf commercial building.	Waiting on further information from applicant.	<b>PC Review</b>
12.		Andre's Lounge – Application# 2022-21 150 N Main St.	6/16/2022	Application for a Zoning Permit to allow for live amplified music.	Staff Review	<b>Staff Review</b>
13.		Maureen Brasier – Application# 2022-25 1843 N High St.	7/21/2022	Application for a small Architectural and Design Review, Zoning Permit, and Categorical Exemption for a drive through coffee shop.	Staff Review	<b>Staff Review</b>