



A G E N D A

CITY OF LAKEPORT PLANNING COMMISSION

Wednesday, January 12, 2022

In accordance with updated guidelines from the State of California and revised Cal OSHA Emergency Temporary Standards, persons that are NOT fully vaccinated for COVID-19 are required to wear a face covering at this meeting.

Pursuant to Assembly Bill 361, signed by Governor Newsom on September 16, 2021, the regular meeting of the Planning Commission for January 12, 2021, will be conducted both in person, and telephonically through Zoom.

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://zoom.us/j/98661665155>

Or iPhone one-tap:

US: +1669 900 9128, 98661665155# or +13462487799, 98661665155#

Or Join by Telephone:

Dial (for higher quality, dial a number based on your current location):

US: [+16699009128](tel:+16699009128), 98661665155# or [+13462487799](tel:+13462487799), 98661665155#

Meeting ID: 986 6166 5155

International numbers available: <https://zoom.us/j/98661665155>

The City wants you to know that you can also submit your comments by email to virtualhost@cityoflakeport.com.

To give the City Clerk 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, January 12, 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 Regular Planning Commission meeting of November 10, 2021.

VI. REGULAR CALENDAR:

A. Scotts Valley Band of Pomo Indians - Application #2021-34

Application for a Use Permit and Categorical Exemption to allow for a change of use from a motel to residential.

B. City of Lakeport – Objective Design Standards

Presentation and discussion regarding the changes to the Objective Design Standards as they pertain to multi-family housing.

C. New Vista Developers – Application #2019-20

Application for an Architectural and Design Review, Tentative Subdivision, Use Permit, Zoning Permit and Environmental Review for a new combined development for a vacant commercial property.

D. City of Lakeport – Outdoor Dining Design

Presentation and discussion regarding the changes to the Outdoor Dining Design.

VII. Correspondence

VIII. Comments from Staff or Commissioners:

IV. SCHEDULE NEXT MEETING:

Discuss and set the next meeting date (February 9, 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 – November 10, 2021 MINUTES

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

ACCEPTANCE OF AGENDA:

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

Commissioner Barnett joined the meeting at 5:34 p.m.

COMMUNICATIONS: Laurel McCarthy did request to speak with the Planning Commission regarding an update on the Parklets and Temporary Zoning Permits.

CONCENT CALENDAR:

A motion was made by Commissioner Combs, to accept the minutes. Seconded by Commissioner Barnette. (Minutes from the Special Planning Commission October 13, 2021). Motion carried by voice vote (4-0).

REGULAR AGENDA:

City of Lakeport – Application #2021-33 -

Director Byers briefed the Commission on a possible amendment to the Lakeport Municipal Code for compliance with Senate Bill 1383 and recommendation to the City Council.

Commissioners asked questions regarding opting out of the program,

Public hearing opened at 5:56 p.m. and closed with no input at 5:57 p.m.

CEQA Exemption

Commissioner Maxman moved that the Planning Commission find that Text Amendment 2021-33, pertaining to the amendment of the Lakeport Municipal Code, has been determined to be exempt from the California Environmental Quality Act as it meets the criteria established in Section 15061(b)(3) and 15378(b)(4) of the CEQA Guidelines because there will be no physical changes to the environment and requires no further review pursuant to Section 15168(c)(2). Seconded by Commissioner Combs.

The vote was called and was as follows:

AYES: Commissioners Maxman, Barnett, Combs, and Acting Chair Warrenburg. (4-0)

NOES: None

ABSENT: Chair Mitchell

Text Amendment to the Municipal Code Recommendation to the City Council

Commissioner Maxman moved that the Planning Commission forward a recommendation to the City Council to take the following action:

Adopt two Ordinances that modify language in the Lakeport Municipal Code relating to 1) the Recycling of Construction and Demolition Debris and 2) Water Efficient Landscape regulations. Seconded by Commissioner Combs.

The vote was called and was as follows:

AYES: Commissioners Maxman, Barnett, Combs, and Acting Chair Warrenburg. (4-0)

NOES: None

ABSENT: Chair Mitchell

City of Lakeport – Discussion on Cannabis Ordinance

Director Byers briefed the Planning Commission on possible amendments to the Lakeport Municipal Code Chapters 5.34, 17.08, 17.10, 17.11 and 17.13. Amendments under consideration reflect state regulations and rulemaking actions by the California Department of Cannabis Control (CDCC).

Planning Commissioners asked questions regarding tax revenues, zoning,

Public hearing opened at 6:08 p.m. Resident Ron Rose and Laurel McCarthy spoke regarding the ordinance. Public hearing closed at 6:20 p.m.

Commissioner Barnett moved to initiate through a minute order of the Planning Commission the preparation of amendments to Chapter 5.34, 17.08, 17.10, 17.11 and 17.13 of the Municipal Code to include appropriate modifications to the Cannabis ordinance. Direct staff to investigate ordinance updates regarding retail cannabis, investigate necessary regulatory updates and propose amendments. Seconded by Commissioner Combs.

The vote was called and was as follows:

AYES: Commissioners Maxman, Barnett, Combs, and Acting Chair Warrenburg. (4-0)

NOES: None

ABSENT: Chair Mitchell

CORRESPONDENCE:

The Commission discussed the current project pending list.

COMMENTS FROM STAFF AND COMMISSIONERS:

Director Byers advised the city received two applications in response to the Request for Proposals for the Community Development Block Grant Disaster Recovery (CDBG-DR).

Director Byers stated staff will be bringing the Hub project before the Planning Commission in January if we can get the document circulated in time, as it is a 30-day review period.

Director Byers advised that staff will be bringing proposed changes to the Micro Enterprise Home Kitchen ordinance before the Planning Commission for review at an upcoming meeting.

Commissioner Barnett asked for an update on the accessory design standards. Director Byers advised that with the Objective Design Standards that Minter Harnish are preparing, they are also reviewing accessory design standards and may be brought before the Planning Commission at the December or January meeting.

Commissioner Maxman asked if there was anything being done with the Vista Point Shopping Center as he was approached by a resident who asked when it will be cleaned up. Director Byers stated she is looking into a property maintenance ordinance to address problem properties such as this because our current ordinance only addresses if a building is not structurally sound.

Commissioner Maxman advised that the League of Cities is doing a wrap up on the legislation passed this year regarding housing and he can pass along the Zoom information if someone would like to watch it.

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, December 8, 2021. Meeting was adjourned and closed at 6:42 p.m.

Jennifer M. Byers, Community Development Director



CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE: January 12, 2022

FILE NO: 2021-34

**OWNER/
APPLICANT:** Scotts Valley Band of Pomo Indians
1005 Parallel Drive
Lakeport, CA 95453

LOCATION: 175 First Street (025-322-07)

GENERAL PLAN: Central Business District

ZONING: CB, Central Business

STAFF CONTACT: Jennifer M. Byers, Community Development Director

REQUESTED ACTION: The Planning Commission is being asked to review and approve application of a Use Permit for a change of use from a motel to a residential use. The project consists of redesigning previous motel rooms to provide seven (7) 1-bedroom residential units. The project is located at 175 First Street.

GENERAL PLAN AND ZONING DISTRICT: The subject property is designated Central Business District according to the City of Lakeport General Plan Land Use Map and is within the CB, Central Business zoning district according to the City Zoning Map. Section 17.12.050 of the Municipal Code indicates that a Use Permit is required for residential use.

"One of the goals of the General Plan is to encourage the development of vacant and underdeveloped properties through infill development, with additional single and multifamily residential housing on the west side of Lakeport." Land use element narrative Page II-11.

As proposed, the allowance for the multifamily residential use and related onsite improvements at this site is consistent with the objective LU 1.1 of the General Plan which seeks to: "provide for the addition of all types of housing at a broad range of densities and prices ...(Page II-5)"

As proposed the project is consistent with the intent of the General Plan and Zoning Ordinance Section, in respect to community design, 17.12, Central Business and 17.24 Use Permit, in respect to the conditional use on the property.

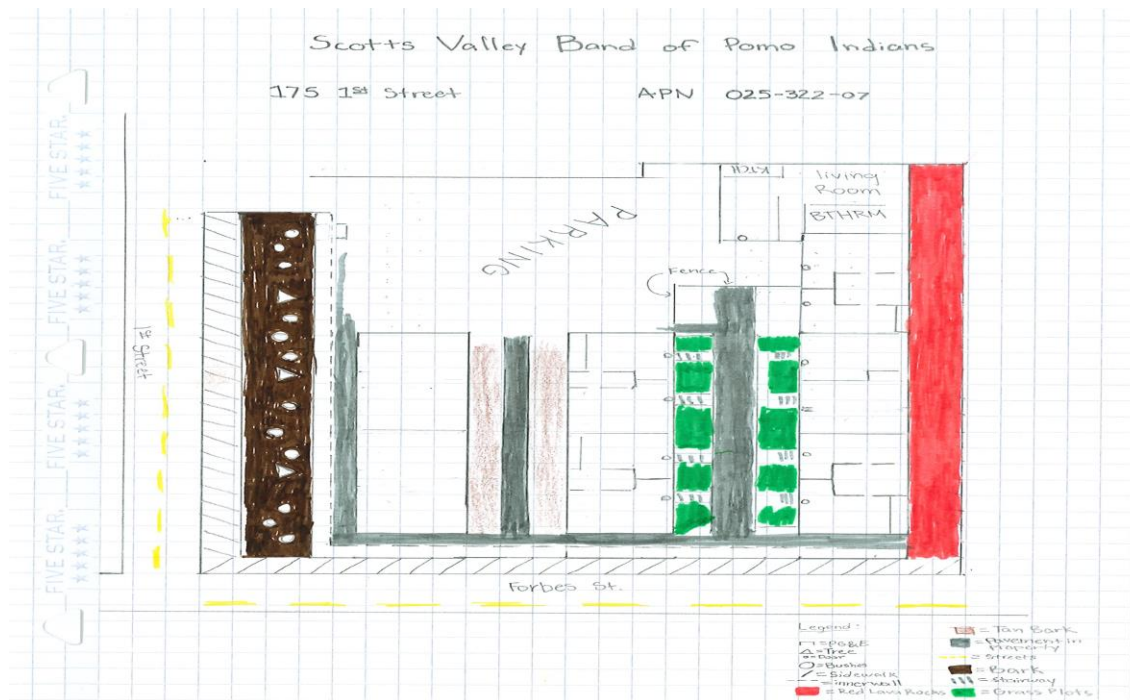
PROJECT DESCRIPTION: The proposed project consists of converting three existing buildings consisting of a total of nine-rooms, previously used as a motel, into seven residential units, one of which will be ADA accessible. Each residential unit would consist of one bedroom, a bathroom, kitchen and living room area to provide the opportunity to house tribal members currently in need of safe, healthy living environments The applicant proposes to eventually

tear down the building parallel to First Street (currently being used as storage), and replace it with a 1-bedroom manufactured unit and two new parking spots to the east of the new unit.

The shuttered motel has been a nuisance for several years. Even if the site were to reestablish as a motel, the circulation and parking would continue to be an issue. Due to the limited options for a viable commercial project and in light of the housing crisis, staff reviewed all the criteria applicable to this project and has determined that the proposed improvements are in compliance with the use permit standards set forth in the Municipal Code at this location.



Residential Use: Under the Central Business zoning district, medium density residential use is allowed with a Use Permit. The proposed residential units have been reviewed under the criteria as set forth in the Performance Standards 17.28.010.DD for residential use in CB zoning district. The project is consistent with the majority of those standards, with the exception of the parking and usable outdoor space. The issues associated with parking have been addressed in the parking section below. Under the performance standards for residential use in Central Business district, the requirement for a usable outdoor space for the building would be infeasible. While the requirement of adding a usable outdoor space would be viable with new construction, it would be infeasible to include on this property.



Landscaping: Landscaping on the property has been neglected over the years. Staff has added a condition of approval that a landscaping plan shall be required prior to the issuance of a building permit and said landscaping shall be installed prior to issuance of occupancy. The Landscape plan shall include drought tolerant planting on the property consistent with MWEO requirements.

Parking: There is currently minimal on-site parking on the property. The applicant proposes to eventually tear down the building parallel to First Street side, currently being used as storage, and replace it with a 1-bedroom manufactured unit and two new parking spots to the east of the new unit. With the layout of the existing structures there is no feasible way to incorporate regular parking in lieu of additional parking stalls. Staff recommended the addition of curb, gutter, and sidewalk improvements to the periphery of the property to provide a safe path of travel to the units. Under section 17.23.060(J) Special parking standards exists for the Central Business zoning district, as such additional parking is not required if the applicant does not expand or intensify the occupancy load on the property. With the addition of two parking space and the recommended right-of-way improvements to the peripheral of the property, it is consistent with the standards for parking in the Central Business zoning district.

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

- Building Official: Building Permits will be required for all demolition and construction.
- City Engineer: Curb, gutter and sidewalk will be required along First Street and Forbes Avenue
- Public Works: Looks good, may require some minor right-of-way repair on Forbes St.
- Public Works Utilities: No concerns regarding utilities.
- City Police: No Police concerns.

- Fire District: Due to the change in occupancy to residential, Building Code 420.4, 420.5, and 903.2.8, fire alarms and sprinklers will be required.
- Lakeport Disposal: Service should be a dual bin for garbage with a 2nd bin for recycling. Will be picked up on time per week or as needed.

The conditions of approval would address many of the concerns raised, while other concerns raised would be addressed as part of the Building Permit process. Project Conditions of Approval and vicinity map are attached.

USE PERMIT APPLICATION FINDINGS: As described, the proposed residential use under standards set forth for the Central Business (CB) Zoning Ordinance, Section 17.240.40 of the Zoning Ordinance requires the following findings be made for the approval of a Use Permit:

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 residential use as outlined in the Zoning Ordinance, is consistent with the standards set forth for the Central Business (CB) zoning district. The site and circulation associated with the proposed project on this property is adequate for the use. The use is consistent with the residential criteria and would not have an impact on the immediate area.

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 or 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. One of the goals of the General Plan is to encourage the development of vacant and underdeveloped properties through infill development, with additional single and multifamily residential housing on the west side of Lakeport." Objective LU 1.1 seeks to provide for the addition of all types of housing at a broad range of densities and prices

Finding 3: That the proposed use will comply with the provisions of this title. The use, with the conditions of approval would not have a significant impact on the neighboring commercial properties in the immediate area.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:

Finding 4: The project is categorically 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(d) of the 2020 CEQA guidelines. This section states: "Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide or flood"

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 property located at 175 First Street is in general conformance with the Lakeport Municipal Code Section 17.240.40 (Use Permit criteria and standards). The proposed improvements will not significantly impact the appearance of the building and will improve the functionality of the existing commercial retail on the first floor of building. The proposed project has been determined to be exempt from the provisions of the California Environmental Quality Act

according to Section 15301(d) of the 2020 CEQA guidelines. This section exempts modifications to existing facilities.

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 MOTION

Categorical exemption Approval

I move that the Planning Commission find that Application 2021-34 as applied for by Scotts Valley Band of Pomo Indians is categorically exempt pursuant to Section 15301(d) of the CEQA Guidelines.

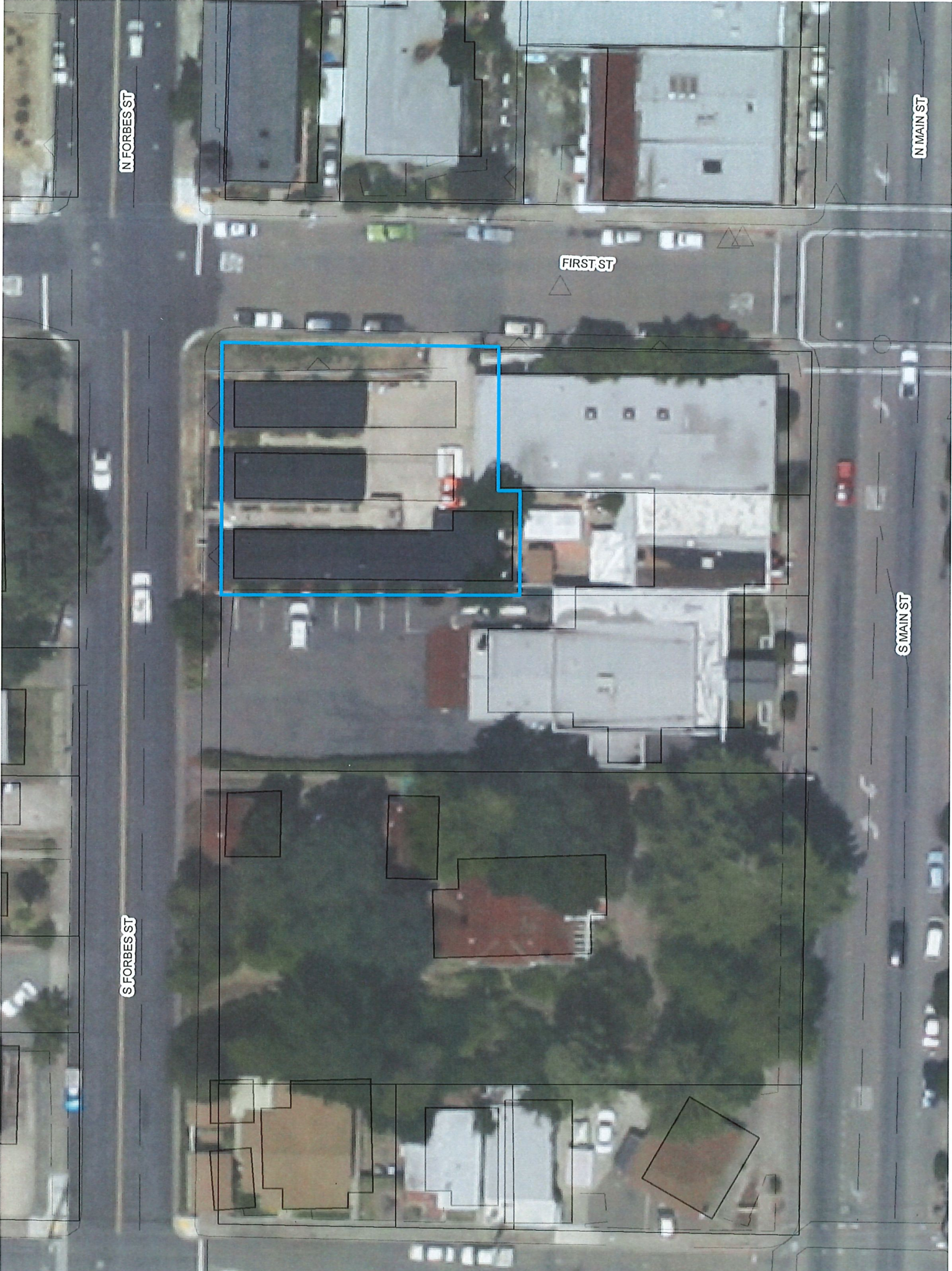
Use Permit Approval

I move that the Planning Commission find that the Use permit applied for by Scotts Valley Band of Pomo Indians, on property located at 175 First Street 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 January 12, 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 Floor Plan,

Attachment A: Vicinity Map



N FORBES ST

N MAIN ST

FIRST ST

S MAIN ST

S FORBES ST

Attachment B:
Project Conditions Agreement



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

PROJECT CONDITIONS AGREEMENT

Application File No. 2021-34

*This Agreement is entered into by **Scotts Valley Band of Pomo Indians / 175 First Street** (Hereinafter Applicant/Owner).*

RECITALS

WHEREAS, Applicant/Owner applied to the City of Lakeport for a Use Permit approval for a change in use from a motel to multifamily residential use; and

WHEREAS, the City of Lakeport Planning Commission on January 12, 2022 has reviewed and approved the project for conformance with the Use Permit criteria and standards set forth in Section 17.24.110; and

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

1. The applicant/owner shall sign a 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.
2. The project shall be developed in accordance with the plans and specifications received by the City on December 1, 2021, and approved by the Planning Commission on January 12, 2022. Minor alterations may be approved in writing by the City of Lakeport Community Development Director or designee.
3. The Building Plans shall include a Fire Alarm and Fire Sprinklers per Building Code 420.4, 420.5 and 903.2.8.
4. Prior to the issuance of permanent occupancy all right-of-way improvements (curb, gutter, sidewalk) will be completed to City Standards.
5. The applicant shall prepare and submit a detailed final landscaping plan, including irrigation plan, prior to the issuance of a building permit. Said landscaping plan shall be consistent with the Landscape plans approved by the Planning Commission. The planting of all landscaping materials shall be

completed prior to the issuance of an occupancy permit and shall be continuously maintained and watered over the life of the project. Landscaping irrigation shall comply with the State's Model Water Efficient Landscape Ordinance (AB 1881) and shall be designed to minimize water usage. All plant materials that are not healthy or that dies shall be replaced with similar landscape materials in a timely manner.

6. The applicant/owner shall maintain a City of Lakeport business license.
7. The use permit shall be reviewed by the Planning Commission for conformance with the conditions of approval if problems are noted by police department, staff or if legitimate complaints are submitted to the City.

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.

Dated: _____

APPLICANT/OWNER

SIGNATURE- Scotts Vally Band of Pomo Indians

PLEASE PRINT NAME

cc: Project File

Attachment C:
Application; Site Plan, Floor Plan and
Narrative



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>Scotts Valley Band of Pomo Indians</u>	Name	<u>Scotts Valley Band of Pomo Indians</u>
Company Name	<u>Scotts Valley Band of Pomo Indians</u>	Company Name	<u>Scotts Valley Band of Pomo Indians</u>
Mailing Address	<u>1005 Parallel Dr</u>	Mailing Address	<u>1005 Parallel Dr</u>
City, State, Zip	<u>Lakeport CA 95453</u>	City, State, Zip	<u>Lakeport CA 95453</u>
Phone	<u>(707) 263-4220</u>	Phone	<u>(707) 263-4220</u>
Fax	<u>(707) 263-4342</u>	Fax	<u>(707) 263-4342</u>
Email	<u>Thomas.Jordan@sv-nsn.gov</u>	Email	<u>Thomas.Jordan@sv-nsn.gov</u>

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

PROJECT INFORMATION	
Project location:	<u>175 First St</u>
Assessor Parcel No.(s):	<u>025-322-07</u>
Current land use:	
Size of existing parcel:	
Current Zoning:	
Current General Plan Designation:	
Subdivision tract name:	
Lot and block numbers:	
Description of proposed project:	

ATTACH SUPPLEMENTAL INFORMATION AS REQUIRED

[Signature] 23-Nov-21
SIGNATURE OF APPLICANT DATE

[Signature] 23-Nov-21
SIGNATURE OF LAND OWNER DATE

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 checked="" 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 checked="" type="checkbox"/>	684.52	Use Permit, Major
<input 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 type="checkbox"/>	190.02*	Zoning Permit
<input type="checkbox"/>		Other

*Planning and Engineering Fees ** Engineering Fee

Total Fees Collected: \$ 1571.58 Receipt # _____ Initials _____ Date _____

Revised 7/1/2021

November 22, 2021

Major Use Permit Application for 175 1st Street, Lakeport APN 025-322-07

Justification Statement

Scotts Valley Band of Pomo Indians is a landless Tribe with 303 members. Nearly 50% of the members are unemployed and or live near the poverty line. Homelessness and near homelessness is experienced by not less than 20% of members of whom a majority reside in Lake County. The Tribal Council takes serious responsibility to assist its members to secure safe, healthy, living environments through the provision of housing. However, as a landless Tribe, the Council must seek and pursue modest housing opportunities within the greater community. The former motel located at 175 1st Street provides the tribe with the opportunity to house up to 7 tribal members, in small, less than 300 square foot 1 bedroom units. The plan is to have a mix of elders and young adults reside in the units permanently, thereby necessitating the request for a major use permit to change the property's current transient use.

Project Description/Narrative

The current usage permits 9 living units/tenants. However, only 7 units were used for tenants as units 8 & 9 located in the third structure nearest to and parallel with 1st street has been and is now used for storage. Accordingly, SVBPI proposes to provide permanent housing for 7 tenants in 7 - 1 bedroom units of which one unit will be for use by a person using a wheelchair or other mobility aide. To accomplish this effort several exteriors and interior improvements will be required. These are presented below.

Exterior

Near Term:

Sidewalks – establish a 1 - 5' wide public walkway behind the existing curb along the property's 175 1st street side. Establish a 1 - 4' wide public walkway behind the existing curb along the property's Forbes street side and add a pedestrian barrier at the south end of the Forbes street property line. Both sidewalks are to be built to City's sidewalk specification by a licensed contractor. (Curb cut at the corner of 1st and Forbes already exists.)

Landscape – Plant roses, *Rosa Floribundas*, 'carpet roses' a new hybrid, in the interior planting areas between the two buildings situated farthest from 1st street. Plant three trees, *Zelkova Serrata* 'Halka', and a combination of lavender, *Lavandula angustifolia* 'Blue Cushion' or 'Munstead' and *Lavandula Stoechas* 'Spanish Lavender', and rosemary, *Rosmarinus officinalis* 'Lockwood de Forest' or 'Miss Jessup's Upright', in the 8-foot wide strip behind 1st street sidewalk and front of the existing fence line. Irrigation to be via a drip system, add bark to retain moisture and suppress weed growth. 30" deep tree wells to be set to encourage downward root growth. Repair and/or replace the existing fence on both property lines, 1st, and Forbes, to the same height and complementary design.

Structures - Make stucco repairs and paint both buildings situated farthest from 1st street in colors that complement surrounding properties. Include rear of neighbor's building located long west property line. Wall color is to be chosen. Windows, doors, and fascia to be in white.

Windows – Replace 6 exterior windows with vinyl-clad double-paned units to complement existing window units.

Roof repairs – Repair fire-damaged section and ridge caps in limited sections of both buildings situated farthest from 1st street. Power wash moss in limited sections New roof material to match existing fiberglass shingles in color and useful life rating

Doors – Replace all doors with solid wood or metal, prime, and paint.

Longer-Term:

3rd building – Currently used as storage. Demolish and replace with a 1 bedroom 473 square foot manufactured home (floor plan and exterior elevations attached); and, a 2 car parking area to be located east of new unit and contiguous to the existing parking lot.

Structure Walls – Paint exterior of a manufactured home with the same color scheme. Paint 2 murals, one on the east side of the middle structure and one on the west side of the parking lot on the rear of the neighboring property's building, subject to the neighbor's approval.

Interior

Near Term:

Unit 1 - This unit has incurred fire damage. Exterior walls and one interior wall are cinder blocks. These will remain and the remaining interior will be renovated to accessible standards including bathroom and kitchen furnishings. Complete electrical wiring, starting with the relocation of the circuit breaker box, lights, and outlets undertaking. HVAC unit and instant hot water heated added, Insulation in the ceiling, vinyl "click it" flooring, kitchenette cabinetry, solid quartz countertop, and appliances added. Wallboard taped and textured and all elevations re-painted.

HVAC – Existing central air system in building farthest from 1st street will be removed and individual HVAC units of the Mitsubishi mini-split type installed in each unit. This will allow for individual unit temperature control.

Instant Hot water units – Installed in ceiling of each unit to serve bathroom and kitchenette.

Electrical Wiring – Breaker boxes installed in existing units numbered 2, 6 & 7 and rewiring added to operate HVAC and hot water units.

Bathroom – Shower stalls, walls, and pans, will be upgraded with solid fiberglass units in all units except existing unit #6. Toilets were replaced and small vanity sinks were relocated into the bathroom in all units except existing unit #6.

Flooring – Vinyl "click it" flooring will be used in all units where unfinished flooring exists.

Appliances – small oven units and refrigerators will be purchased and installed where needed.

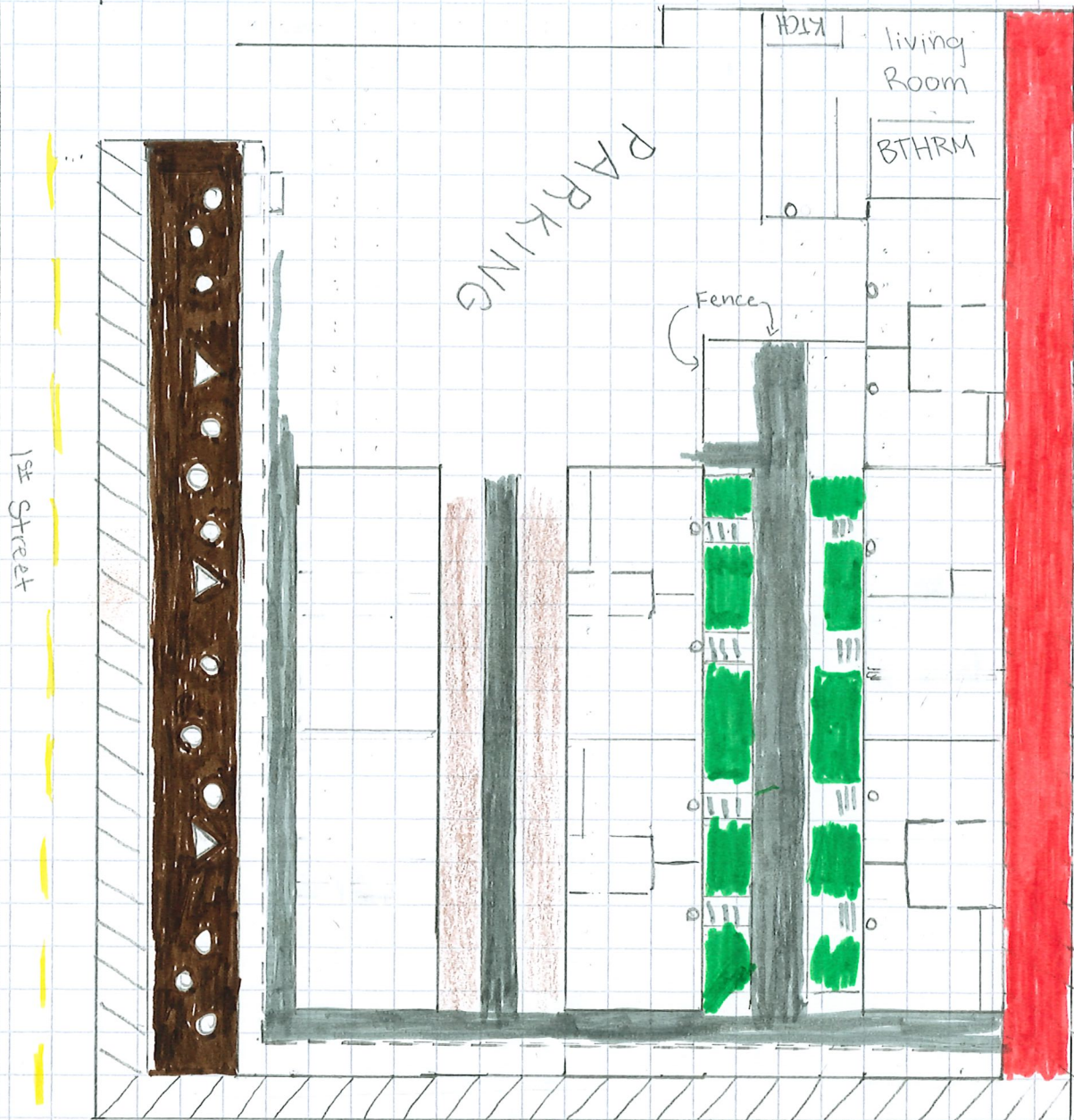
Longer-Term:

Kitchenette Counter Tops – Existing laminate tops will be replaced with solid quartz-like Decon. Units 3&4 will be combined and renovated to the same standard as other units into one unit with the same standard layout, bedroom, and sitting room with kitchenette separated by the bathroom.

Scotts Valley Band of Pomo Indians

175 1st Street

APN 025-322-07



1st Street

Forbes St.

Legend:

□ = PG&E

△ = Tree

○ = Door

○ = Bushes

/ = Sidewalk

- - = innerwall

■ = Tan Bark

■ = Pavement in Property

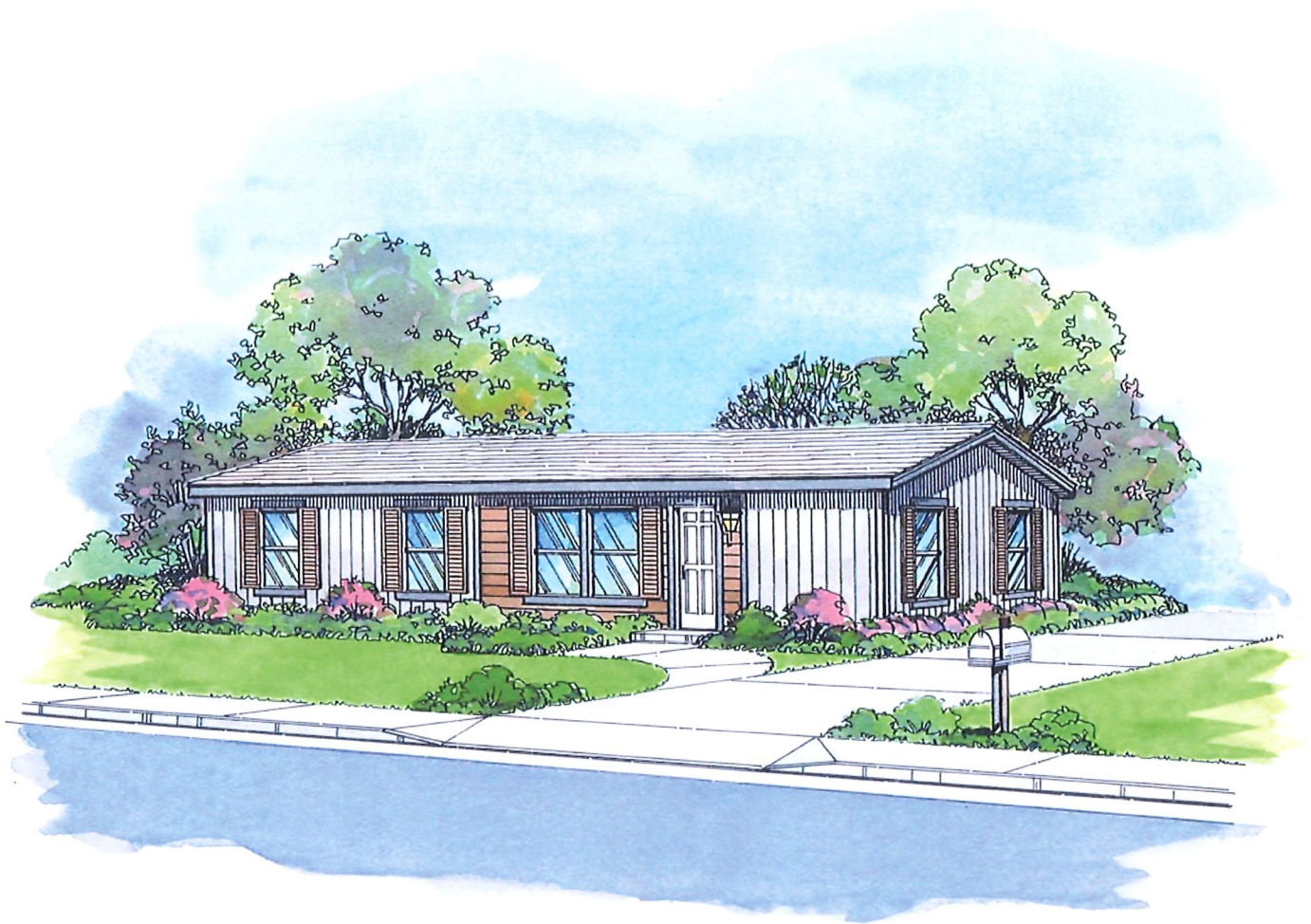
--- = Streets

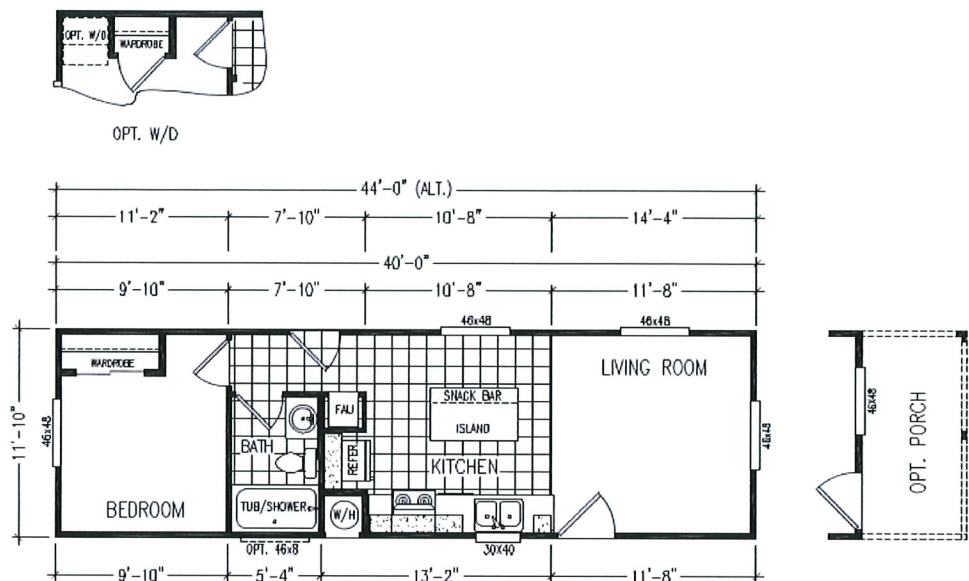
■ = Bark

/// = Stairway

■ = Grass Plots

■ = Red Lava Rocks





Fairpoint 12401A

revised: 02-06-17

473/520 SQUARE FEET

Because our company has a continuous product update process, specifications, floor plan lay-out and dimensions shown on this literature are subject to change without notice or obligations. Construction and design specifications as well as features presented are conceptual, therefore should not be used as actual construction data, and may not be offered in all series or models. Our Retailer will provide accurate, up-to-date information on available options and specifications for your home.



CITY OF LAKEPORT PLANNING COMMISSION

STAFF REPORT

RE: 2022-01 / Draft Text Amendment to Lakeport Municipal Code for compliance with Senate Bill 35

MEETING DATE: January 12, 2022

SUBMITTED BY: Jennifer M. Byers, Community Development Director

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

The Planning Commission is requested to consider amending the Lakeport Municipal Code for compliance with Senate Bill 35. There are two draft ordinances for discussion: 1. Objective Design and Development Standards and 2. Accessory Dwelling Units.

BACKGROUND/DISCUSSION:

As part of the 2017 California Legislative Housing Package, Senate Bill 35 requires that local jurisdictions provide a streamlined ministerial approval process for multi-family residential developments that meet specific eligibility requirements. In addition to the 2017 Legislative Housing Package, there have been numerous bills in recent years which focus on promoting the development of Accessory Dwelling Units (ADUs).

The City of Lakeport contracted with Mintier Harnish to provide the necessary documents and will present the two ordinances for Planning Commission discussion.

OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS CONTENT:

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

1. Purpose
2. Applicability
3. Site Planning and Design
4. Additional Standards for Mixed-Use Projects

ACCESSORY DWELLING UNIT CONTENTS:

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

1. Purpose
2. Applicability
3. Permissible Locations
4. Types of Accessory Dwelling Units
5. Location and Number

6. Standards Applicable to All Accessory Dwelling Units
7. Additional Standards Applicable to Attached and Detached Units
8. Standards Applicable to Converted Accessory Dwelling Units
9. Standards Applicable to Junior Accessory Dwelling Units

ENVIRONMENTAL REVIEW:

Mintier Harnish prepared a detailed analysis for the environmental determination (Attachment 1) that provides an in-depth evaluation of the project description and an analysis of the activities proposed, relevant State Housing Laws, as well as a review of the Lakeport General Plan and recently adopted Housing Element. It was concluded that while the proposed Project subject to this present analysis is not a "subsequent development project," it is both a subsequent project governed by the General Plan and will enable subsequent development projects subject to the proposed objective design standards and ADU provisions. Since these subsequent projects will not be subject to discretionary review and, therefore, not subject to additional CEQA analysis, the question is whether the 2025 General Plan PEIR adequately addresses the potential environmental impacts.

The proposed Project, consisting of objective residential design and development standards for multifamily dwellings and the accessory dwelling unit ordinance, is intended to provide opportunities for the private sector to address the housing needs of citizens of all economic levels. The by-right multi-family development and ADU approval process will contribute to the expeditious processing of residential development proposals. A range of housing options and affordable housing opportunities are encouraged through clear, objective multifamily residential design standards and a ministerial review process. The objective design standards promote quality design of multi-family and affordable housing projects.

All of the 2025 General Plan policies and implementation of those policies were addressed in the 2025 General Plan PEIR. The proposed Project is consistent with the 2025 General Plan and directly implements several of the Plan policies. The proposed Project is consistent with and implements the 2019-2027 Housing Element, which is an integral part of the General Plan. Based on the analysis, we conclude that the 2025 General Plan PEIR fully and adequately addresses the potential environmental impacts of the proposed Project.

Finally, based on the forgoing analysis, none of the circumstances described in CEQA Guidelines Section 15062 have occurred that would require the preparation of a subsequent EIR or Negative Declaration. There are no substantial changes proposed in the original project (the 2025 General Plan). This proposed Project serves as implementing several General plan policies. No substantial changes will occur with respect to the circumstances under which the Project will be undertaken. Finally, no new information has become available that would indicate new or more severe impacts would occur as a result of the project.

NEXT STEPS:

If approved, Staff plans to take the Planning Commission's recommendation to the City Council for their consideration at the February 15, 2022 meeting.

SUGGESTED MOTIONS:CEQA Exemption

I move that the Planning Commission find that Text Amendment 2022-01, pertaining to the amendment of the Lakeport Municipal Code, has been determined to be exempt from the California Environmental Quality Act as it meets the criteria established in Section 15062 of the CEQA Guidelines based on the evidence presented in the Environmental Determination.

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 take the following action: Adopt two Ordinances that modify language in the Lakeport Municipal Code relating to 1) Objective Design and Development Standards and 2) Accessory Dwelling Units.

☒ **Attachments:**

1. Environmental Determination
2. Draft Ordinance Objective Design and Development Standards
3. Draft Ordinance Accessory Dwelling Unit

Environmental Determination

Background

The City of Lakeport is considering adoption of Objective Residential Design and Development Standards for Multifamily Dwellings and an Accessory Dwelling Unit Ordinance (Project). The City has prepared the Standards and Ordinance in response to recent changes in California law that require all cities and counties to adopt such standards and ordinance provisions to increase housing supply and affordability. Because this action requires City Council approval, and such approval will establish new development regulations, the action is considered a project under the California Environmental Quality Act. As such, the City is required to make an environmental determination for the Project prior to any action on the Project. To make this determination, the following elements are considered here: the project description, applicable CEQA requirements, relevant State Housing Law, the 2025 General Plan, the 2019-2027 Housing Element, and the 2025 General Plan PEIR.

Project Description

The proposed Project includes two parts: 1) objective residential design and development standards for multifamily dwellings; and 2) accessory dwelling unit ordinance.

Objective Residential Design and Development Standards For Multifamily Dwellings

Objective residential design and development standards for multifamily dwellings are added with the intent of establishing a process to permit multi-family housing by-right, without discretionary review, consistent with the directives of State law. The standards apply to:

1. Any residential structure containing two or more residential dwelling units, each of which is for the occupancy by one or more persons living as a single housekeeping unit, including duplexes, triplexes, fourplexes, apartments, and townhouses; and
2. All mixed-use structures that include multifamily dwellings. The list below describes significant features of the proposed Project.

The objective residential design and development standards for multifamily dwellings address the following subjects:

1. Site planning and design, including
 - a. Structure orientation and location
 - b. Structure and dwelling unit entries
 - c. Parking and circulation
 - d. Public street improvements
 - e. Lighting
 - f. Mechanical equipment and utility screening
 - g. Trash enclosures and recycling areas
 - h. Open space
2. Architecture, including
 - a. Massing and articulation

- b. Façade design
 - c. Exterior color and materials
 - d. Windows and doors
 - e. Walls and fencing
3. Additional Standards for Mixed-Use Projects, including
- a. Horizontal mixed-use projects
 - b. Awnings, sunshades, and canopies
 - c. Active commercial uses
 - d. or ground floor nonresidential uses
 - e. Storefront windows
 - f. Entrances to nonresidential uses
 - g. Differences in materials and/or architectural details.

Accessory Dwelling Unit Ordinance

The accessory dwelling unit ordinance is intended to establish a process to permit accessory dwelling units by-right, also consistent with the directives of State law. Accessory dwelling units and junior accessory dwelling units are allowed on all parcels zoned for single-family or multi-family dwellings where such parcels include a proposed or existing dwelling. The regulations established apply to all accessory dwelling units and junior accessory dwelling units where allowed in compliance with Title 17, Chapters 17.04-17.07 (Residential Districts). Any construction, establishment, alteration, enlargement, or modification of an accessory dwelling unit must comply with the requirements of Title 17 and the City Building Code. The Ordinance applies to the following types of accessory dwelling units:

1. **Attached.** An accessory dwelling unit that is created in whole or in part from newly constructed space that is attached to the proposed or existing primary dwelling, such as through a shared wall, floor, or ceiling.
2. **Detached.** An accessory dwelling unit that is created in whole or in part from newly constructed space that is detached or separated from the proposed or existing primary dwelling, including an existing stand-alone garage converted into an accessory dwelling unit. The detached accessory dwelling unit shall be located on the same parcel as the proposed or existing primary dwelling.
3. **Converted.** An accessory dwelling unit that is entirely located within the proposed or existing primary dwelling or accessory structure, including, but not limited to, attached garages, storage areas, or similar uses; or an accessory structure, including, but not limited to, studio, pool house, or other similar structure. Such conversion may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing structure if the expansion is for the sole purpose of accommodating ingress and egress to the converted structure.
4. **Junior Accessory Dwelling Unit.** An accessory dwelling unit that meets all the following provisions:
 - a. Is entirely located within a single-family detached primary dwelling and shall consist of the conversion of an existing bedroom.
 - b. Is less than 500 square feet.

- c. Has independent exterior access from the primary dwelling.
- d. Has sanitation facilities that are either shared with or separate from those of the primary dwelling.
- e. Includes an efficiency kitchen, which includes a cooking facility with appliances, food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

The accessory dwelling unit ordinance addresses the following subjects:

1. Location and number of accessory dwelling units
 - a. Single-family dwelling areas
 - b. Multi-family dwelling areas
2. Standards applicable to all accessory dwelling units
 - a. Parcel size and width
 - b. Access
 - c. Fire sprinklers
 - d. Permanent foundation
 - e. Nonconforming conditions
 - f. Design
 - g. No separate conveyance
 - h. Rental term
 - i. Impact fees
3. Additional standards applicable to attached and detached accessory dwelling units
 - a. Size
 - b. Height
 - c. Passageways
 - d. Utilities
 - e. Parking
 - f. Permits
4. Standards applicable to converted accessory dwelling units
 - a. Setback
 - b. Parking
 - c. Building permit
5. Standards applicable to junior accessory dwelling units
 - a. Size
 - b. Efficiency kitchen
 - c. Parking
 - d. Permits
 - e. Owner occupancy requirement
 - f. Deed restriction

CEQA Requirement

CEQA requires public agencies to evaluate the potential physical impacts of proposed projects prior to approving a Project and, if necessary, impose feasible mitigation measures to reduce significant Project impacts to a less than significant level. Once a proposed action is determined to be a Project as defined by CEQA, a Lead Agency can make one of four basic determinations: the project is statutorily or categorically exempt; the Project impacts have already been addressed as a part of another project impact analysis; prepare a negative declaration or mitigated negative declaration; or prepare an environmental impact report (for which there are several sub-categories). If the City determines the proposed Project is part of a larger project (the 2025 General Plan) it must make certain additional determinations. When an EIR has been certified or a negative declaration adopted for a project, in this case the 2025 General Plan PEIR, no subsequent EIR or Negative Declaration needs to be prepared for that project unless the lead agency makes one of more of the following determinations:

1. Substantial changes are proposed in the Project which will require major revisions of the previous EIR or negative declaration;
2. Substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration; or
3. New information of substantial importance shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment.

Analysis

In order to make a determination for the appropriate CEQA analysis for the proposed Project, the City has considered relevant State laws; adopted City plans, policies, programs; and previous CEQA analysis, which are described here.

Relevant State Housing Law

Increasing concern in the last few years about housing supply and affordability in California have resulted in the State enacting a number of new laws aimed at addressing those concerns. One key aspect of the new housing laws is to limit local government discretion related to the approval of new housing development. The underlying intent of many of the new laws is to make it easier and less costly to develop new housing in California, especially higher density, more affordable housing. To this end, several new State laws now require local governments to establish objective design and development standards for multi-family residential development and a non-

discretionary, by-right approval process for those developments. The following is a partial summary of some of the relevant, new State housing laws that are the impetus for this Project.

SB 35 (Weiner) Ch. 366 - Affordable Housing: Streamlined Approval Process

This law establishes a streamlined, ministerial review process for certain multi-family affordable housing projects that are proposed in local jurisdictions that have not met regional housing needs, until 2026. Under this law, multi-family residential projects can be streamlined under one of two conditions:

- If a city or county has failed to meet regional housing needs for above moderate incomes, projects must be at least 10 percent affordable.
- If a city or county has failed to meet regional housing needs for moderate-, low-, and very-low incomes, projects must be at least 50 percent affordable.

Projects streamlined under this law must meet relevant objective standards and pay workers a prevailing wage. Under this law, progress towards regional housing needs will be determined every two years, when cities and counties submit regional housing need progress reports to HCD. If a City or county fails to meet regional housing need goals, streamlining will be in effect for the following two-year cycle. This bill amended Sections 65400 and 65582.1 of, and adds and repeals Section 65913.4 of, the Government Code.

SB 166 (Skinner) Ch. 367 - Residential Density and Affordability

This law amends the No Net Loss Zoning law to require local governments to accommodate remaining unmet housing need at all times, identifying new sites for affordable housing when market-rate housing is developed on sites for affordable housing. This Bill amended Section 65863 of the Government Code and adds Section 65852.26 to the Government Code, relating to land use.

SB 330 (Skinner) - Housing Crisis Act of 2019

This law prohibits an affected city or county (defined based on Census Bureau definitions of urbanization) from enacting a development policy or standard that would reduce intensity of land use, impose design review standards that are not objective, limiting the amount of housing (imposing development moratoriums, limiting land use approvals or permits, capping housing units, or capping population). The law additionally makes numerous changes to housing permitting. Preliminary applications for housing may be submitted and must contain specified information. Local governments are prohibited from applying ordinances to a development after a preliminary application is submitted and cannot hold more than five hearings on approval of a housing project that complies with objective standards when the preliminary application is deemed complete. These provisions will expire on January 1, 2025. This Bill amends Section 65589.5, amends, repeals, and adds Sections 65940, 65943, and 65950, adds and repeals Sections 65905.5, 65913.10, and 65941.1 of, and adds and repeals Chapter 12 (commencing with Section 66300) of Division 1 of Title 7 of, the Government Code

Accessory Dwelling Units (ADU)

Assembly Bill 2299 (2016), Senate Bill 1069 (2016), Assembly Bill 494 (2017), Senate Bill 229 (2017), Assembly Bill 68 (2019), Assembly Bill 881 (2019), Assembly 587 (2019), Senate Bill 13 (2019), Assembly Bill 670 (2019), and Assembly Bill 671 (2019)

In recent years, multiple bills have added requirements for local governments related to ADU ordinances. The 2016 and 2017 updates to State law included changes pertaining to the allowed

size of ADUs, permitting ADUs by right in at least some areas of a jurisdiction, and parking requirements related to ADUs. More recent bills reduce the time to review and approve ADU applications to 60 days, remove lot size requirements and replacement parking space requirements and require local jurisdictions to permit junior ADUs. AB 68 allows an ADU and a junior ADU to be built on a single-family lot, if certain conditions are met. The State has also removed owner-occupancy requirements for ADUs, created a tiered fee structure that charges ADUs based on their size and location, prohibits fees on units of less than 750 square feet, and permits ADUs at existing multi-family developments. In addition, AB 671 requires the Housing Element to include plans to incentivize and encourage affordable ADU rentals.

2025 General Plan Policies and Programs

While the objective residential design and development standards for multifamily dwellings and the ADU Ordinance that comprise the proposed Project comply with new State law, it is important to confirm that the Project is consistent with the 2025 General Plan. There are several policies and one program that broadly address residential design standards and housing supply.

General Plan Policies

Policy LU 1.1: Housing Density. Provide for the addition of all types of housing at a broad range of densities and prices.

Policy LU 4.2: Flexible Standards. Revise and update the Zoning and Subdivision Ordinances within three years of approval of this General Plan Update to establish innovative and flexible subdivision standards that encourage infill development.

Policy CD 1.7: Architectural Character. Maintain and enhance the architectural character and rural heritage of existing neighborhood areas and the Lakeport community as a whole.

Policy CD 2.6: Location of Parking. Parking areas are encouraged to be provided to the rear or side of buildings and include trees that reach a mature height of at least twenty feet whenever feasible.

Policy CD 3.2: Compatibility of Infill Development. Infill development should match the scale, design, and character of the surrounding neighborhood and adjacent structures.

General Plan Program

Program CD 4.12-a: Revise the Zoning Ordinance to establish specific development criteria for the development of mixed-use and residential uses within the Central Business District. Residential development should be smaller in scale than adjacent commercial development and should not be a prominent feature along the Main Street pedestrian walkway.

2019-2027 Housing Element Policies and Programs

As with the 2025 General Plan, it is important to confirm that the Project is consistent with the 2019-2027 Housing Element. While the Housing Element is formally part of a general plan, the 2019-2027 Element was prepared separately from (and subsequent to) the 2025 General Plan. Unlike the General Plan, the Housing Element addressed the specific objective design standards and the ADU ordinance that are subject of the proposed Project. Two programs specifically call for objective design standards and ADU provisions to be added to the Zoning Ordinance.

Goal and Policies

Goal 2: Facilitate and encourage development of housing to meet the regional housing needs allocations

Policy 2D: The City shall continue to facilitate the construction of second dwelling units and permit accessory residential units by right in the R-1 zoning district.

Policy 2F: The City shall expedite processing of affordable housing projects. (Program 2-1, Zoning Ordinance Chapter 17.39)

Programs

Program 2-1 Streamline Housing Approvals: Update the Zoning Ordinance to provide by-right approvals for residential development in which at least 20 percent of the units are affordable to lower income households in accordance with Government Code Section 65583.2(c) for Sites 1, 2, and 3 (see Chapter 4, Table 4-3) and establish objective zoning, development, and design standards for lower-income housing developments to facilitate review of projects eligible for the streamlined, ministerial process provided by Government Code Section 65913.4.

Program 2-4 Accessory Dwelling Units: Update the Zoning Ordinance to revise the standards for secondary units to ensure that ADUs are allowed as a permitted use in all zoning districts that allow single-family and multifamily uses and including standards addressing lot coverage restrictions, lot size restrictions, minimum and maximum size limitations, owner-occupancy requirements, and parking requirements, as provided in Government Code Section 65852.2 and addressing certain covenants, conditions, and restrictions that prohibit or unnecessarily restrict ADU consistent with the requirements of Civil Code Section 4751.

2025 General Plan Program Environmental Impact Report

The City prepared a Program Environmental Impact Report (PEIR) for the 2025 General Plan to assess the potential significant environmental impacts that could result from implementation of the General Plan. The PEIR evaluated the existing environmental resources in the vicinity of the city, analyzed potential impacts on those resources due to the General Plan, and identified mitigation measures that could avoid or reduce the magnitude of those impacts. The PEIR has subsequently been used to evaluate the direct and indirect environmental effects of development under the General Plan (i.e., residential development, rezones, commercial structures, park sites, recreation facility development, and infrastructure improvements).

The 2025 General Plan PEIR analyzed potential environmental impacts of General Plan implementation. That analysis included an evaluation of the impacts of implementing the policies and programs related to, among other subjects, land use, housing, traffic, air quality, noise, cultural resources, and natural resources. These subjects are typically associated potential impacts of new housing projects, including projects that may be facilitated by the adoption and implementation of the proposed Zoning Ordinance Amendments. The PEIR thoroughly analyzed these impacts, identified policies and programs that contributed to impact mitigation, included additional mitigation measures, and in a limited number of instances, concluded impacts to be significant and unavoidable. In those instances, subsequent City action included adoption of findings and statements of overriding circumstances. Consistent with one of its stated purposes, the PEIR serves as the primary environmental analysis for subsequent City actions.

Conclusion

As noted above, the Lead Agency can make one of four basic determinations for a Project as to the appropriate action to comply with CEQA: the project is statutorily or categorically exempt; the Project impacts have already been addressed in an environmental analysis as a part of a larger project; prepare a negative declaration or mitigated negative declaration; or prepare an environmental impact report (for which there are several sub-categories). Considered here is whether the 2025 General Plan PEIR addressed the potential environmental effects of the proposed Project, which will result in amendments to the City Zoning Ordinance intended to increase housing supply and affordability.

While the proposed Project subject to this present analysis is not a “subsequent development project,” it is both a subsequent project governed by the General Plan and will enable subsequent development projects subject to the proposed objective design standards and ADU provisions. Since these subsequent projects will not be subject to discretionary review and, therefore, not subject to additional CEQA analysis, the question is whether the 2025 General Plan PEIR adequately addresses the potential Project environmental impacts. The proposed Project is consistent with and implements the 2025 General Plan. General Plan policies call for the City to:

- provide for the addition of all types of housing at a broad range of densities and prices (Policy LU 1.1),
- revise and update the Zoning and Subdivision [Ordinances]...to establish innovative and flexible subdivision standards that encourage infill development (Policy LU 4.2),
- maintain and enhance the architectural character and rural heritage of existing neighborhood areas and the Lakeport community as a whole (Policy CD 1.7),
- encourage parking areas be provided to the rear or side of buildings and include trees that reach a mature height of at least twenty feet whenever feasible (Policy CD 2.6), and
- match infill development to the scale, design, and character of the surrounding neighborhood and adjacent structures (Policy CD 3.2).

General Plan Program CD 4.12-a calls for the City to:

- revise the Zoning Ordinance to establish specific development criteria for the development of mixed-use and residential uses within the Central Business District.

The proposed Project is consistent with and implements the 2015-2023 Housing Element. Housing Element goals and policies call for the City to:

- facilitate and encourage development of housing to meet the regional housing needs allocations (Goal 2),
- facilitate the construction of second dwelling units and permit accessory residential units by right in the R-1 zoning district (Policy 2D), and
- expedite processing of affordable housing projects (Policy 2F).

The 2019-2027 Housing Element Programs call for the City to:

- update the Zoning Ordinance to provide by-right approvals for residential development in which at least 20 percent of the units are affordable to lower-income households...and establish objective zoning, development, and design standards for lower-income housing

developments to facilitate review of projects eligible for the streamlined, ministerial (Program 2-1), and

- update the Zoning Ordinance to revise the standards for secondary units to ensure that ADUs are allowed as a permitted use in all zoning districts that allow single-family and multifamily uses and including standards addressing lot coverage restrictions, lot size restrictions, minimum and maximum size limitations, owner-occupancy requirements, and parking requirements...and address certain covenants, conditions, and restrictions that prohibit or unnecessarily restrict ADUs (Program 2-4).

The proposed Project, consisting of objective residential design and development standards for multifamily dwellings and the accessory dwelling unit ordinance, is intended to provide opportunities for the private sector to address the housing needs of citizens of all economic levels. The by-right multi-family development and ADU approval process will contribute to the expeditious processing of residential development proposals. A range of housing options and affordable housing opportunities are encouraged through clear, objective multifamily residential design standards and a ministerial review process. The objective design standards promote quality design of multi-family and affordable housing projects.

All of the 2025 General Plan policies and implementation of those policies were addressed in the 2025 General Plan PEIR. The proposed Project is consistent with the 2025 General Plan and directly implements several of the Plan policies. The proposed Project is consistent with and implements the 2019-2027 Housing Element, which is an integral part of the General Plan. Based on the analysis, we conclude that the 2025 General Plan PEIR fully and adequately addresses the potential environmental impacts of the proposed Project.

Finally, based on the forgoing analysis, none of the circumstances described in CEQA Guidelines Section 15062 have occurred that would require the preparation of a subsequent EIR or Negative Declaration. There are no substantial changes proposed in the original project (the 2025 General Plan). This proposed Project serves as implementing several General plan policies. No substantial changes will occur with respect to the circumstances under which the Project will be undertaken. Finally, no new information has become available that would indicate new or more severe impacts would occur as a result of the project.

Recommendation

It is recommended that the Planning Commission find that:

1. The proposed objective multifamily residential design and development standards and accessory dwelling unit ordinance (Project) are consistent with the 2025 General Plan and the 2019-2027 Housing Element;
2. The 2025 General Plan PEIR fully addresses the potential significant environmental impacts of the proposed Project and determined that all potentially significant environmental impacts can be mitigated to a less than significant level or are subject to overriding social or economic considerations;
3. No substantial changes are proposed as a part of the Project which will require major revisions of the 2025 General Plan PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

4. No substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the 2025 General Plan PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
5. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 2025 General Plan PEIR was certified as complete, that would show any of the following:
 - a. The Project would have one or more significant effects not discussed in the 2025 General Plan PEIR;
 - b. Significant effects previously examined would be substantially more severe than shown in the 2025 General Plan PEIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment; and
6. No further environmental analysis for the proposed Project is required.

City of Lakeport Accessory Dwelling Unit Ordinance (17.28.010)

- A. **Purpose.** The purpose of this Section is to provide regulations for the development of accessory dwelling units and junior accessory dwelling units through a ministerial process consistent with Government Code Sections 65852.2 and 65852.22. Accessory dwelling units expand housing opportunities by increasing the number of housing units available within existing neighborhoods and provide housing generally at lower cost. This Section provides standards to minimize adverse impacts on the public health, safety, and general welfare that may be associated with accessory dwelling units and junior accessory dwelling units.
- B. **Applicability.** The regulations established in this Section shall apply to all accessory dwelling units and junior accessory dwelling units where allowed in compliance with Title 17, Chapters 17.04-17.07 (Residential Districts). Any construction, establishment, alteration, enlargement, or modification of an accessory dwelling unit shall comply with the requirements of this Section and the Building Code. An accessory dwelling unit or junior accessory dwelling unit that conforms to the standards of this Section shall not be:
1. Deemed to be inconsistent with the General Plan designation and zone for the parcel on which the accessory dwelling unit or junior accessory dwelling unit is located.
 2. Deemed to exceed the allowable density for the parcel on which the accessory dwelling unit or junior accessory dwelling unit is located.
 3. Considered in the application of any City ordinance, policy, or program to limit residential growth.
 4. Required to correct a nonconforming zoning condition. This does not prevent the City from enforcing compliance with applicable building standards in compliance with Health and Safety Code Section 17980.12.
- C. **Where Permitted.** Accessory dwelling units and junior accessory dwelling units are allowed on parcels zoned for single-family or multi-family dwellings where such parcels include a proposed or existing dwelling.
- D. **Types. An accessory dwelling unit approved under this Section may be one of the following types:**
1. **Attached.** An accessory dwelling unit that is created in whole or in part from newly constructed space that is attached to the proposed or existing primary dwelling, such as through a shared wall, floor, or ceiling.
 2. **Detached.** An accessory dwelling unit that is created in whole or in part from newly constructed space that is detached or separated from the proposed or existing primary dwelling, including an existing stand-alone garage converted into an accessory dwelling unit. The detached accessory dwelling unit shall be located on the same parcel as the proposed or existing primary dwelling.
 3. **Converted.** Is entirely located within the proposed or existing primary dwelling or accessory structure, including but not limited to attached garages, storage areas, or similar uses; or an accessory structure including but not limited to studio, pool

house, or other similar structure. Such conversion may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing structure if the expansion is for the sole purpose of accommodating ingress and egress to the converted structure.

4. **Junior Accessory Dwelling Unit.** A junior accessory dwelling unit is a unit that meets all the following:

- a. Is entirely located within a single-family detached primary dwelling and shall consist of the conversion of an existing bedroom.
- b. Is less than 500 square feet.
- c. Has independent exterior access from the primary dwelling.
- d. Has sanitation facilities that are either shared with or separate from those of the primary dwelling.
- e. Includes an efficiency kitchen, which includes a cooking facility with appliances, food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

E. **Location and Number.**

1. **Single-Family Dwelling Areas.** Accessory dwelling units and junior accessory dwelling units are allowed in single-family dwelling zones as follows:

- a. **Single-Family Dwelling Parcel.** Only one attached accessory dwelling unit or junior accessory dwelling unit shall be allowed on a parcel with a proposed or existing single-family dwelling on it, where the accessory dwelling unit or junior accessory dwelling unit is:

- i. Is either within the space of a proposed single-family dwelling, within the existing space of an existing single-family dwelling, or within the existing space of an accessory structure, plus up to 150 additional square feet if such expansion is for the sole purpose of accommodating ingress and egress to the converted structure;
- ii. Has exterior access that is independent of that for the single-family dwelling; and
- iii. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

- b. **Limited Detached.** One detached new construction accessory dwelling unit shall be allowed on a parcel with a proposed or existing single-family dwelling, in addition to a junior accessory dwelling unit, if it meets all the following requirements:

- i. Is detached from the primary dwelling;
- ii. Is 800 square feet or smaller in size;
- iii. Has a peak height above grade of 16 feet or less; and
- iv. Has side and rear setbacks of at least four feet.

- c. **Types and Number of Units Allowed.** In any single-family dwelling area, only the following combination of accessory dwelling units may be provided on a single parcel:
 - i. Detached accessory dwelling unit and junior accessory dwelling unit
 - ii. Detached accessory dwelling unit and attached accessory dwelling unit
 - 2. **Multi-Family Dwelling Areas.** Accessory dwelling units are allowed in multi-family dwelling areas as follows:
 - a. **Converted Spaces within a Multi-Family Dwelling.**
 - i. Within any multi-family dwelling structure used exclusively for residential use, portions of such structures that are not used as livable space may be converted to accessory dwelling units, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, provided that any such space converted to an accessory dwelling unit complies with minimum State building standards for dwellings.
 - ii. At least one accessory dwelling unit shall be allowed within an existing multi-family dwelling structure as long as the total number of accessory dwelling units within the structure does not exceed 25 percent of the existing units.
 - b. **Limited Attached.** Up to two detached accessory dwelling units shall be allowed on a parcel where a multi-family dwelling structure exists if each of the detached accessory dwelling units meets all the following requirements:
 - i. Has side and rear setbacks of at least four feet; and
 - ii. Is 800 square feet or smaller in size.
- F. **Standards Applicable to All Accessory Dwelling Units.** The following standards apply to all accessory dwelling units and junior accessory dwelling units constructed on or moved to a new parcel and to the remodeling or rebuilding of existing single-family dwelling or multi-family dwelling structure to create an accessory dwelling unit.
- 1. **Parcel Size and Width.** No minimum parcel size or parcel width shall apply for the construction of an accessory dwelling unit.
 - 2. **Access.** Every accessory dwelling unit shall have direct exterior access independent of the exterior access of the primary dwelling.
 - 3. **Fire Sprinklers.** Fire sprinklers are required in an accessory dwelling unit if they are required in the primary dwelling.
 - 4. **Permanent Foundation.**
 - a. All accessory dwelling units shall be permanently attached to a permanent foundation.

- b. A recreational vehicle, commercial coach, trailer, motor home, camper, camping trailer, or boat shall not be used as an accessory dwelling unit.
 - 5. **Nonconforming Conditions.** The correction of nonconforming zoning conditions is not required in order to establish an accessory dwelling unit on a parcel with a primary dwelling.
 - 6. **Design.** Within any historic district zone or historic district overlay zone, if applicable, the design of accessory dwelling units shall be consistent with the design and development guidelines applicable to such zones.
 - 7. **No Separate Conveyance.** An accessory dwelling unit may be rented, but no accessory dwelling unit, unless otherwise permitted by state law, may be sold or otherwise conveyed separately from the parcel and the primary dwelling in the case of a single-family dwelling parcel or from the parcel and all of the dwellings in the case of a multi-family dwelling parcel.
 - 8. **Rental Term.** No accessory dwelling unit may be rented for a term that is shorter than 30 days.
 - 9. **Impact Fees.** No impact fees (including school fees) shall be charged to an accessory dwelling unit that is less than 750 square feet in size. Any impact fee charged to an accessory dwelling unit 750 square feet or greater shall be charged proportionately in relation to the square footage of the primary dwelling unit (e.g. the floor area of the primary dwelling, divided by the floor area of the accessory dwelling unit, times the typical fee amount charged for a new dwelling. For the purposes of this Paragraph, impact fees do not include any connection fee or capacity charge for water or sewer service.
- G. **Additional Standards Applicable to Attached and Detached Accessory Dwelling Units. The following standards shall apply only to attached and detached accessory dwelling units.**
- 1. **Size.**
 - a. **Detached.** May not exceed 850 square feet if it has fewer than two bedrooms or 1,000 square feet if it has two bedrooms. No more than two bedrooms are allowed.
 - b. **Attached.** May not exceed 850 square feet if it has fewer than two bedrooms or 1,000 square feet if it has two bedrooms. No more than two bedrooms are allowed. an attached accessory dwelling unit shall not exceed 50 percent of the floor area of the primary dwelling.
 - 2. **Height.**
 - a. **Single-Story Attached or Detached.** A single-story attached or detached accessory dwelling unit shall not exceed 16 feet in height above grade, measured to the peak of the structure.
 - b. **Two-Story.** An attached or detached accessory dwelling unit that is constructed with a second story shall not exceed the maximum allowable structure height for the area in which it is located.

3. **Passageways.** No passageway, breezeway, or similar connection between structures on the parcel shall be required in conjunction with the construction of an accessory dwelling unit.
4. **Utilities.** Attached and detached accessory dwelling units shall require new, separate utility connections directly between the accessory dwelling unit and the utility provider.
5. **Parking.**
 - a. One off-street parking space is required for each attached and detached accessory dwelling unit. The parking requirement for an attached or detached accessory dwelling unit shall be in addition to the parking requirement for the existing residence on the property. This space may be provided as tandem parking, including on an existing driveway. No parking shall be permitted in the front yard other than on the paved driveway. Parking spaces may also be provided through a mechanical vehicle parking lift.
 - b. **No Replacement.** When a garage, carport, or covered parking structure providing required parking for the primary residence or residences is demolished to allow for the construction of an accessory dwelling unit or is converted to an accessory dwelling unit, those parking spaces are not required to be replaced.
 - c. Additional parking for the accessory dwelling unit is not required in the following instances:
 - i. The accessory dwelling unit is located within one-half mile walking distance of public transit, including transit stations and bus stations.
 - ii. The accessory dwelling unit is located within a historic district.
 - iii. The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
 - iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - v. When there is a designated car share vehicle parking space located within one block of the accessory dwelling unit.
6. **Permits**
 - a. **Ministerial Accessory Dwelling Unit Permit.** Prior to constructing any attached or detached accessory dwelling unit, the property owner shall obtain a Building Permit from the City. The City shall issue the permit within 60 days from the date that the City received a completed application, unless:
 - i. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay;
 - ii. The City requires corrections to the Building Permit application, in which case the 60-day time period is tolled until the applicant resubmits a corrected application; or

- iii. The Building Permit application is submitted with a permit application to create a new single-family or multi-family dwelling on the parcel, in which case the City may delay acting on the Building Permit application until the City has acted on the permit application to create the new single-family or multi-family dwelling, but the Building Permit application for the accessory dwelling unit will be issued in conjunction with the permit application approval.
 - b. **Application and Processing Fees.** The City Council shall establish a schedule of fees for the application and processing of a Building Permit for an accessory dwelling unit.
- H. **Standards Applicable to Converted Accessory Dwelling Units. The following standards apply only to converted accessory dwelling units:**
 1. **Setback.** No setback is required for a legally existing structure that is converted to an accessory dwelling unit.
 2. **Parking.** No additional off-street parking is required for the converted accessory dwelling unit, regardless of if a garage, carport, or covered parking structure is converted into an accessory dwelling unit. if replacement parking is provided, the replacement spaces shall be located in any configuration on the same parcel as the accessory dwelling unit and may include but is not limited to covered spaces, uncovered spaces, or tandem spaces. Replacement parking may only occur on driveways leading to a required parking space or in rear yard on a paved surface, provided such paved area can be easily accessed via the driveway or an alley. No parking shall be permitted in the front yard other than on the paved driveway. Parking spaces may also be provided through a mechanical vehicle parking lift.
 3. **Building Permit.** The property owner shall obtain a valid Building Permit for the converted accessory dwelling unit, subject to all the standard application and processing fees and procedures that apply to Building Permits generally.
- I. **Standards Applicable to Junior Accessory Dwelling Units. The following standards apply only to junior accessory dwelling units.**
 1. **Size.** The total area of floor space for a junior accessory dwelling unit shall not exceed 500 feet and shall not expand the size of an existing single-family dwelling by more than 150 square feet, provided such expansion is provided solely for the purpose of accommodating ingress and egress.
 2. **Efficiency Kitchen.** A junior accessory dwelling unit shall include an efficiency kitchen, requiring and limited to the following components:
 - a. A sink with a maximum waste line drain of one-and-on-half inches;
 - b. A cooking facility with appliances which do not require electrical service greater than one 120 volts or natural or propane gas;
 - c. A food preparation counter or counters that total at least 15 square feet in area; and
 - d. Food storage cabinets that total at least 30 square feet of shelf space.
 3. **Parking.** No additional off-street parking is required for the junior accessory dwelling unit.

4. Permits.
 - a. **Ministerial Junior Accessory Dwelling Unit Permit.** The property owner shall obtain a valid Building Permit for the junior accessory dwelling unit, subject to all standard application and processing fees and procedures that apply to Building Permit generally. The City shall issue a ministerial permit within 60 days from the date that the City received a completed application, unless either:
 - i. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay;
 - ii. The City requires corrections to the Building Permit application, in which case the 60-day time period is tolled until the applicant resubmits a corrected application; or
 - iii. The application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the parcel. The City may delay acting on the permit application for the junior accessory dwelling unit until the City acts on the permit application to create the new single-family dwelling, but the application to create the junior accessory dwelling unit will still be considered ministerial without discretionary review or a hearing.
 - b. **Application and Processing Fees.** The Board shall establish a schedule of fees for the application and processing of a Building Permit for a junior accessory dwelling unit.
5. **Owner Occupancy Requirement.** Junior accessory dwelling units shall be subject to an owner-occupancy requirement. A person with legal or equitable title to the property shall reside on the property in either the primary dwelling or junior accessory dwelling unit as that person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
6. **Deed Restriction.** Junior accessory dwelling units shall be subject to an owner-occupancy requirement. A person with legal or equitable title to the property shall reside on the property in either the primary dwelling or junior accessory dwelling unit as that person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
 - a. Prior to issuance of a Building Permit for a junior accessory dwelling unit, a deed restriction shall be recorded against the title of the property in the County of Lake Recorder's office and a copy filed with the City of Lakeport Community Development Director. The deed restriction shall run with the land and bind all future owners. The form of the deed restriction will be provided by the City and shall provide that:

- i. The junior accessory dwelling unit shall not be sold separately from the primary dwelling, except as may otherwise be permitted by State law.
 - ii. The junior accessory dwelling unit is restricted to the approved size and other attributes allowed by this Section.
 - iii. The deed restriction runs with the land and shall be enforced against future property owners.
- b. The deed restriction may be removed if the owner eliminates the junior accessory dwelling unit, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Community Development Director, providing evidence that the junior accessory dwelling unit has in fact been eliminated. The Community Development Director may then determine whether the evidence supports the claim that the junior accessory dwelling unit has been eliminated. Appeal may be taken from the Community Development Director's determination consistent with Chapter 17.31 (Appeals and City Council Review). If the junior accessory dwelling unit is not entirely physically removed but is only eliminated by virtue of having a necessary component of a junior accessory dwelling unit removed, the remaining structure and improvements shall otherwise comply with all applicable development and building standards.
- c. The deed restriction is enforceable by the Community Development Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the accessory dwelling unit in violation of the recorded restrictions or abatement of the illegal unit.

Objective Design and Development Standards for Multifamily Dwellings

Purpose. The purpose of this Chapter is to provide minimum architectural and site design requirements for multifamily dwelling projects (referred to as “projects” or the “project”). The standards contained in this Chapter supplement the development regulations established in the Title 17 (Land Use, Zoning and Signs).

- A. **Applicability.** The standards established in this Chapter shall apply to all multifamily projects including:
 - 1. Any residential structure containing two or more residential dwelling units, each of which is for the occupancy by one or more persons living as a single housekeeping unit, including duplexes, triplexes, fourplexes, apartments, and townhouses.
 - 2. All mixed-use structures that include multifamily dwellings.
- B. **Objective Design Standards.** As defined by Government Code Section 65913.4, objective design standards are standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark. The Objective Design and Development Standards serve as the minimum requirements for all multifamily projects identified in Subsection A (Applicability). For any applicant of a qualifying project seeking exceptions or deviations to the standards contained herein, or any of the City’s development regulations established in Title 17 (Land Use, Zoning, and Signs), the project shall be subject to a use permit as defined in Chapter 17.24 of the Municipal Code and may be subject to a discretionary design review process.

Standards for all Multifamily Dwellings

- A. **Site Planning and Design**
 - 1. **Structure Orientation and Location.**
 - a. Multiple structures located parallel to a public street or internal project street(s) shall have a staggered setback with a minimum variation of three feet measured from the property line.
 - b. Multiple structures shall be oriented to create internal courtyards, open space, and/or paseos.
 - c. There shall be a minimum of 15 feet between structures. The space between structures shall be unobstructed, accessible to all occupants of the structures, and include sidewalks, sitting areas, or live plantings.
 - d. Placement and orientation of structures shall preserve and minimize the impacts to significant natural resources. Significant natural resources include, but are not limited to, mature or large trees, protected trees/tree clusters, and creeks.
 - e. Where a site is adjacent to the Low Density Residential “R-1” district or adjacent to an existing single-family dwelling, the following standards shall apply:

- i. Evergreen shrubs and trees located in a landscape strip with a minimum width of 10 feet shall be provided along all property lines that are directly adjacent. Trees shall be twenty-four-inch box size or larger planted every twenty feet. Shrubs shall be at least five-gallon size or larger planted every ten feet.
 - ii. On structures with three floors or more, windows and balconies shall be oriented away from single family homes. Where this is not feasible due to site constraints, either a landscape buffer with a width of 10 feet, in addition to the required setback, shall be provided, or parking shall be located between the single-family dwelling and the structure.
 - f. Structure doors, windows, stoops, and porches shall face a public/private street or common open space.
 - g. Controlled vehicular entries (i.e., gates, boom barrier) shall be located a minimum of 20 feet from the property line to provide adequate stacking space for vehicles entering the site/parking structure.
2. Structure and Dwelling Unit Entries.
- a. A primary structure entrance that provides interior access to multiple individual dwelling units shall be clearly visible and oriented towards either a public street or an internal private street. A primary structure entrance oriented towards the parcel interior, away from a public or private street, is prohibited.
 - b. A corner structure fronting two public streets shall have structure entrances oriented to the street of highest classification. If both streets have equal classification, the entrance may be oriented to either public street.
 - c. Individual exterior entrances of ground floor dwelling units fronting on either a private or public street shall be clearly visible from and face the street. Entrances must have a roofed projection or recess with a minimum depth of 5 feet. Dwelling units that do not have street frontage must have entrances that face interior courtyards, walkways, and/or paseos.
 - d. All structure entries shall be connected to a public sidewalk by a pedestrian walkway a minimum of five feet in width.
 - e. Exterior structure entrances serving multiple dwelling units shall have a roof projection or structure recess with a minimum depth of five feet and a minimum width of seven feet. Exterior entrances serving a single unit shall have a roof projection or recess with a minimum depth of three feet and a minimum width of four feet.
3. Parking and Circulation.
- a. Uncovered parking areas shall include a minimum of one 15-gallon size tree for every six consecutive parking stalls, planted in a tree well with interior dimensions a minimum of six feet by six feet.
 - b. Projects located on corner parcels shall locate parking to the side or rear of the parcel (opposite the side facing the street).

- c. Parking areas, both covered and uncovered, shall be screened from all public street frontages by incorporating evergreen landscaping or a planted earth berm with a minimum height of three feet. A minimum of 5% of any parking lot area shall be landscaped.
 - d. For all parking facing a public street, including surface parking, carports, and garages, but excluding underground parking and parking located behind structures, the total width of parking visible from the street shall not exceed 50 percent of any public street frontage. For corner lots, this standard shall only apply to the primary street frontage.
 - e. Parking areas shall not be separated by a fence, wall, or landscaping exceeding three feet in height when located adjacent to interior common spaces or primary structure entries.
 - f. Garages shall have access provided by an alley or private street and shall not have curb cuts located along a public street.
 - g. Parking spaces shall be located a minimum of 10 feet from any curb cut entering the parcel to provide adequate ingress/egress. The distance shall be measured from the property line to the first parking space.
 - h. Parking areas adjacent to residential structures shall be separated by a walkway a minimum of five feet in width and a landscape strip a minimum of seven feet in depth.
4. Public Street Improvements.
- a. All public property that fronts a project shall be improved to current Public Works standards and specifications. Projects shall install and dedicate street improvements including, but not limited to: curb and gutter, sidewalk, driveway aprons, street paving, storm drainage facilities, sewer and water, fire protection, undergrounding of utilities and street lighting.
5. Lighting.
- a. All entryways, porch areas, pedestrian pathways, and gates shall include lighting for safety and security. Lighting shall be fully shielded, directed downward (not above the horizontal plane), and shall not spill onto adjacent properties. Light fixtures shall be a maximum of eight feet from the ground plane. Lighting shall use light emitting diodes (LEDs) with a maximum temperature of 3000 kelvins. Second floor accent lighting is prohibited. A photometric plan shall be provided to show compliance.
 - b. The maximum height of parking lot light fixtures shall not exceed 15 feet when abutting a residential development. Otherwise, the parking lot light fixtures shall be a maximum of 20 feet.
 - c. Parking areas with 10 or more parking spaces shall be illuminated with a minimum of one-half (0.5) foot-candle and a maximum average of three (3) foot candles of light from one-half (0.5) hour before dusk until one-half (0.5) hour after dawn.
6. Mechanical Equipment and Utility Screening.

- a. All exterior mechanical and electrical equipment shall be incorporated into the design of the structure or screened from public view using walls, fencing, or landscaping. Mechanical or electrical equipment includes, but is not limited to, roof-mounted equipment, air conditioners and condensers, utility meters, irrigation control valves, electrical transformers, utility meters, cable and telephone equipment.
7. Trash Enclosures and Recycling Areas.
- a. Trash containers shall be screened from view from adjacent properties and shall not be visible from a public right-of-way.
 - b. Trash enclosures shall be constructed of decorative masonry material and include a latchable and tamper-proof metal gate or door. Enclosures shall have four sides and be a minimum of six feet in height or extend the full height of trash container(s), whichever is higher. A pedestrian access, separate from the trash container service access, shall be provided, and shall meet California State Access Regulations.
 - c. Trash enclosures shall be located throughout the property so that no resident will be required to travel more than 200 feet to reach an enclosure.
 - d. Trash enclosures shall be of the same color(s) as the primary structure(s) in the development.
8. Open Space.
- a. **Private Open Space.** At least 50 percent of the dwelling units in a project must include private open space in the form of a private yard, porch, balcony, roof garden, or patio. Private open space located on the upper floors shall be a minimum of 48 square feet in area with a minimum horizontal dimension of six feet in either direction (width/depth). Private open space on the ground floor shall be a minimum of 100 square feet in area with a minimum horizontal dimension of 10 feet in either direction (width/depth). Private open space shall be contiguous to the dwelling unit it serves.
 - b. **Useable Common Open Space.** Projects shall provide useable outdoor passive/active open space with outdoor amenities as required in Table 1 (Outdoor Amenities). Useable common open space means an unobstructed area or areas, accessible to all occupants of the structure it serves, having no dimension less than 10 feet in any direction. Useable common open space excludes areas designated for parking, including surface parking, carports, or garages. A minimum of 60 percent of the common useable open space shall be provided as landscaped green area (not hardscaped).
 - c. **Outdoor Amenities.** Projects shall provide outdoor amenities in compliance with the following provisions:
 - i. **Passive Recreational Amenities.** Passive recreation refers to recreational activities that require minimal to no facilities or development to perform such activities. Passive recreation amenities include, but are not limited to, community gardens,

outdoor gathering/seating area, picnic/barbeque area, pet area/dog park, courtyard/plaza.

- ii. **Active Recreational Amenities.** Active recreation refers recreational activities that require specific facilities or equipment to perform such activities. Active recreational amenities include, but are not limited to, playground/tot lot, sports court/field, fitness area, swimming pool, clubhouse w/kitchen, community room.

- d. **Seating.** Seating shall be provided for all common open space areas.
- e. Playgrounds/tot lots shall be located in an area with direct visibility from a minimum of three dwelling units to allow for casual surveillance.

Table 1 Outdoor Recreational Amenities		
Number of Units in Project	Required Passive Recreational Amenities	Required Active Recreational Amenities
2-10	2 with a minimum area of 200 sq. ft.	0
11-30	2 with a minimum area of 300 sq. ft.	1 with a minimum area of 500 sq.
31-60	2 with a minimum area of 400 sq. ft.	2 with a minimum area of 800 sq.
61-100	2 with a minimum area of 500 sq. ft.	2 with a minimum area of 1,000 sq.
101+	2 with a minimum area of 600 sq. ft.	2 with a minimum area of 1,500 sq.

B. **Architecture.**

1. **Massing and Articulation.**

- a. **Maximum Structure Length.** Structures shall not exceed 200 feet in length on any façade.
- b. **Horizontal Articulation.** Horizontal (or depth) articulation refers to the structure modulation by stepping a portion(s) of the façade forward or backward from the predominant structure plane façade. One or more of the following features shall be integrated into the project design:
 - i. Variations in wall plane with a minimum façade break of four feet in width, and two feet in depth for every 30 feet of façade length;
 - ii. Vertical elements such as pilasters, that protrude a minimum of one foot from the wall surface and extend the full height of the structure;
 - iii. Step back the floors above the ground floor a minimum of two feet; or
 - iv. Projections or recessions every 30 linear feet with a minimum width of two feet, a minimum height of eight feet, and a minimum depth of two feet.

- c. **Vertical Articulation.** Vertical (or height) articulation refers to the modulation of a structure by stepping a portion(s) of the façade upward or downward from the predominant structure height. The following features shall be integrated into structure design:
- i. Rooflines shall be vertically articulated at a minimum of 40-foot intervals along the street frontage with a change in height a minimum of four feet;
 - ii. Rooflines shall include architectural elements such as parapets, varying cornices, clerestory windows, gables, or dormers; and
 - iii. In structures with four or more floors, the top floor(s) of the structure shall be set back a minimum of five feet from the remainder of the façade.
- d. For structures with three or more floors, the upper and lower floors shall be distinguished by incorporating one or more of the following features applied to the transition of floors, except where otherwise specified:
- i. Tripartite design, where structures exhibit a clearly identifiable base, middle, and top, with the base consisting of a material such as stone, concrete masonry, or other material distinct from the remainder of the façade.
 - ii. Incorporating upper floors into the roof design and provide useable space through dormers and gables.
 - iii. Incorporate a horizontal design feature such as a belt course or bellyband.
 - iv. Incorporate a change in wall material in addition to a change in wall plane of at least one inch in depth at the transition between the two materials.
- e. Massing for third floors and above shall step back when the project is located adjacent to single family residential. The amount of step back shall be determined by the following table:

Table 2 Step back Adjacent to Single Family Residential	
Number of Stories	Multifamily Structure Step Back
3	30 feet
4	40 feet
5	50 feet
6 and above	60 feet

2. Façade Design.

- a. **Blank Walls.** To avoid the appearance of blank walls, street facing, and publicly visible walls shall incorporate a minimum of one of the following features:
 - i. A change in contrasting color or material a minimum of every 30 feet;
 - ii. Bay windows, box windows, or other similar projecting windows that project a minimum of one foot from the structure façade a minimum of every 15 feet;
 - iii. Above-ground balconies located a minimum of one every 30 feet on each floor;
 - iv. Horizontal or vertical reglets, or stucco control joints located a minimum of one every 30 feet (horizontal or vertical);
 - v. Horizontal or vertical accent lines that project a minimum of two inches from the structure façade a minimum of every 20 feet.
 - b. **Façade Transparency.** No wall that faces a pedestrian walkway, public sidewalk, or publicly accessible outdoor space shall run in a contiguous plane of more than 25 feet without a window, door, or balcony.
3. **Exterior Color and Materials.**
- a. A minimum of two materials, in addition to windows and railings, shall be used on any structure façade. Any one material shall comprise of a minimum of 25 percent of any structure façade, excluding windows and railings. Any change in material shall be offset by a minimum of six inches in depth.
 - b. Structures shall have a color palette of a minimum of two body colors and two accent colors (not including roof color). Projects with two or more structures shall include a minimum of two-color palettes and shall not use a single color palette on more than 70 percent of the structures.
 - c. Brick, rock, and stone shall not be painted or stained.
 - d. Exterior finish materials shall wrap structure corners and terminate at an inside corner or logical termination point, such as structure trim.
 - e. Structures shall carry the same theme on all elevations. For the purpose of this standard, a theme shall include primary colors and materials.
 - f. Heavier accent materials such as stone or brick shall be used on the lower floors of the structure elevation and extend a minimum of four feet in height from the structure foundation to form the structure base.
 - g. Gutters, and downspouts shall be integrated into the roof/wall detailing and designed as a contiguous part of the overall architectural character. Exposed downspouts shall be same color as the surface to which they are attached.
4. **Windows and Doors.**
- a. Windows and doors shall include a trim with a minimum width of four inches and shall protrude from the wall plane a minimum of three-quarters

- of an inch. Stucco-textured foam trim molding shall be allowed only on the second floor or above.
 - b. In lieu of exterior window trim, windows can be recessed from the wall plane by a minimum of three inches.
- 5. Walls and Fencing.
 - a. Acceptable wall and fence materials include masonry, brick, wrought iron, or other tubular metal materials, and wood (excluding plywood or other composite panels less than five-eighths inches thick). Chain link, barbed wire/concertina wire, and electric fencing is prohibited.
 - b. **Walls.** To minimize long, uninterrupted walls, the design of the structure shall include a minimum of one of the following:
 - i. Walls facing a public street shall have variations in wall plane with a minimum break of six feet in width, and two feet in depth for every 50 feet of wall length;
 - ii. Walls shall incorporate a trim cap and shall incorporate decorative pillars at minimum distance every 30 feet.
 - c. Where walls are located adjacent to a street frontage, a minimum of one pedestrian connection along each street frontage shall be provided. Where such connection is provided, a minimum opening of 15 feet in width or twice the height of the wall shall be provided, whichever is less. Gates are not required.
- 6. Storage.
 - a. A minimum of 80 cubic feet of enclosed storage area shall be provided for each dwelling unit. Personal storage space shall be located on ground floor private patio areas or on upper floor private balconies contiguous to the unit it serves. Storage may also be located within a personal garage and may be included in the total garage area. For units that do not provide a private patio or balcony, the storage area may be located within the unit, provided it meets or exceeds the minimum space requirement.

Additional Standards for Mixed-Use Projects

- C. **Applicability.** This Section includes additional design standards for mixed-use projects. In addition to the standards established in Title 17 (Land Use, Zoning and Signs) the following standards shall also apply.
- D. Additional Standards for Mixed-Use Projects.
 - 1. Horizontal mixed-use projects (where residential is located adjacent to a commercial or office use) must provide a direct pedestrian connection to the nonresidential use.
 - 2. Awnings, sunshades, and canopies shall be incorporated into the structure design along all pedestrian sidewalks for all ground floor nonresidential uses. As an alternative to providing awnings, sunshades, and canopies, ground floor entries shall be recessed to provide a vestibule with a minimum depth of three feet.

3. Active commercial uses shall be located on the ground floor of a mixed-use project. Active commercial uses are defined as commercial uses that are oriented along the street wall of a public street at ground level. Residential dwelling units in a mixed-use project shall be located on the upper floors of any elevation that faces a public street with residential access provided through a separate entry along each street frontage or a single entry located at the corner.
4. For ground floor nonresidential uses, exterior walls facing a public street shall include windows, doors, or other openings for a minimum of 75 percent of the structure wall area.
5. Storefront windows shall include a base treatment (bottom frame element) a minimum of six inches in height.
6. Entrances to nonresidential uses shall face a public street, a parking area, or an interior common space.
7. Differences in materials and/or architectural details shall only occur on a mixed-use structure where the intent is to differentiate between the residential scale and character of the structure and the nonresidential scale and character.



CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE: January 12, 2022

FILE NO: 2019-20

FILE NAME: Lakeport Hub Commercial Project

APPLICANT: Rahul Bhatt
New Vista Developers, LLC
3774 Jamestown Road
Fremont, CA 94538

Location: 1842 Todd Road (APN 005-045-15)

General Plan: Major Retail

Zoning: C-2, Major Retail

STAFF CONTACT: Jennifer M. Byers, Community Development Director

REQUESTED ACTION: The Planning Commission is being asked to review and approve an application for the Lakeport Hub Project (project) which involves the approval of a Mitigated Negative Declaration, a subdivision map of, Architectural and Design Review, a Zoning Permit for a service station and a Use Permit for a hotel with greater than 50 units.

The Lakeport Hub project proposes to divide the 15.5-acre (APN 005-04-15) parcel to nine parcels of Assessor Parcel Number 005-045-15 for the purpose of developing a commercial center that would include a service station, six to eight restaurants, two retail buildings and a 70-room hotel (These uses could change as long as they reflect the intent of the Major Retail in the General Plan and C-2, Major Retail zoning district.) The 90,000 square feet commercial center would include on-site roadways accessing those commercial uses, with parking and landscaping distributed around the property, as well as serving each (Attachment A).

There have been several redesigns of the site plan and staff acknowledges that Phase One (Parcels A and B) is the most complete portion of the plan and that other Phases most likely will necessitate changes based on final design and tenants needs. As the future phases are in flux, it is anticipated that once tenants are identified certain items will be returned to the Planning Commission for further review. The purpose of the requested action is to approve the framework that would allow flexibility for future uses as permitted within the C-2, Major Retail zone.

GENERAL PLAN AND ZONING DISTRICT: The subject property is designated Major Retail 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 commercial uses proposed are permitted within the C-2 zoning district.

Section 17.27.020 of the Municipal Code indicates that an Architectural and Design Review is required for all new commercial buildings. No building permit or other entitlement for a new commercial building shall be issued until the site plan, architectural elevations and related plans have been reviewed and approved by either the Planning Commission or the 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. Upon review of the Architectural and Design Review standards, the proposed commercial retail center adds design elements, character, landscaping and improvements to the overall design of a large vacant commercial zoned area.

As proposed, the allowance for the commercial retail building and related improvements at this site are consistent with the following objectives of the General Plan:

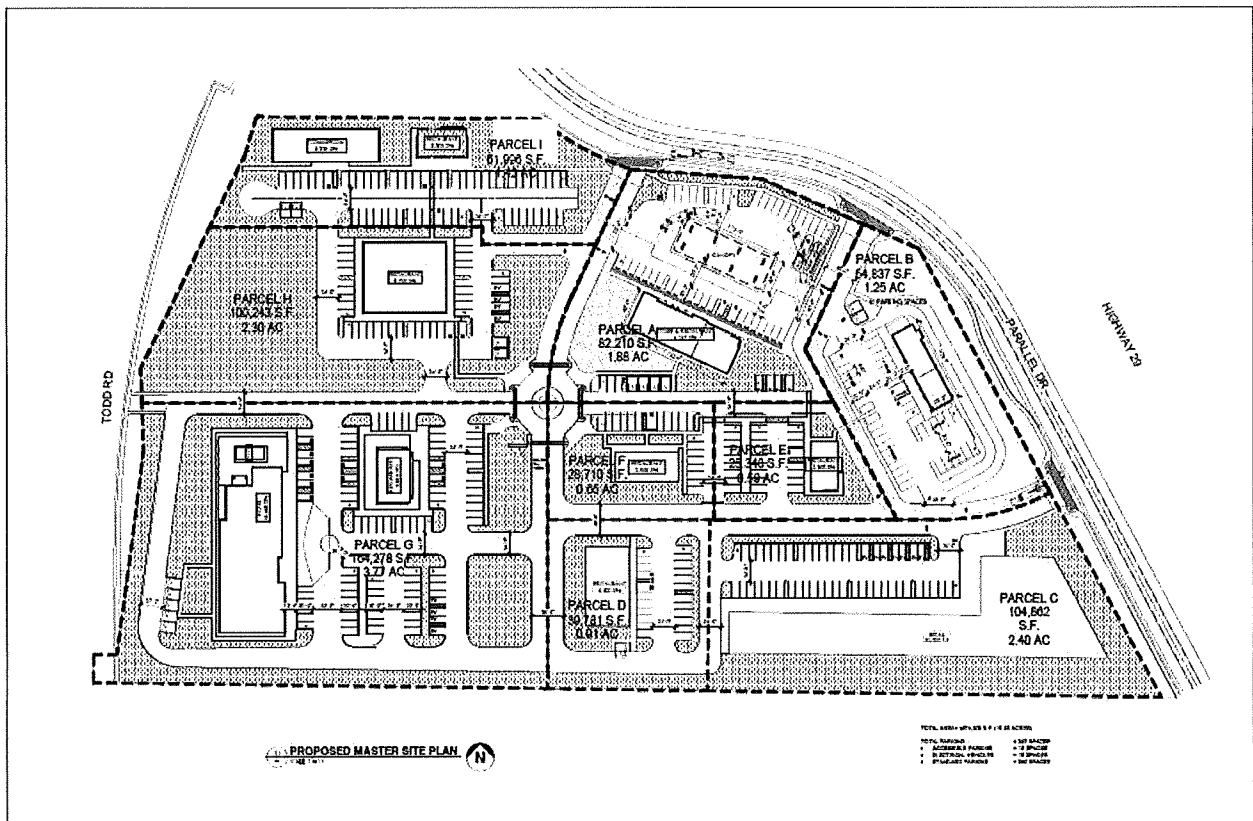
- Objective CD-2 of the General Plan encourages commercial development designs which foster economic growth, reduce land consumption, and compliment adjacent land uses...(Page V-11)"
- Objective ED 2 of the General Plan which seeks to: "provide support for the promotion of businesses...(Page VI-3)"
- The current project as proposed incorporates Nodal Commercial Development encouraged in the General Plan. Nodal Commercial Development includes locating the building to the front of the property, locating the parking to the side or rear, and create a streetscape that improves the visual aesthetic quality. (Page V-6)

PROJECT DESCRIPTION: The Lakeport Hub Project (project) involves subdividing the 15.5-acre parcel to nine parcels for the purpose of developing a commercial center that would include a service station, six to eight restaurants, two retail buildings and a 70-room hotel. The commercial center would include on-site roadways accessing those commercial uses, with parking and landscaping distributed around the property, as well as serving each proposed parcel. Access to the commercial center would be primarily from Parallel Drive, with three driveways into the center along Parallel Drive, and a fire access will be allowed from Todd Road. The commercial development would be phased in with the service station and a restaurant on Parcels A and B representing Phase One; the hotel and restaurant on Parcels G representing Phase Two; and the remaining commercial retail and restaurants on the remaining Parcels would represent Phase Three and would be developed as commercial tenants are found. The commercial center consists of nine parcels which includes the following development for each lot:

- Parcel A, 1.91 acres in size. Includes a 6,157 square foot building for a service station and drive thru restaurant, as well as a 4,700 square foot canopy for the service station. Parcel A is located on the northern portion of the property fronting on Parallel Drive.

- Parcel B, 1.31 acres in size. Includes a 2,900 square foot building for one drive thru restaurant and other retail space. Parcel B is located on the northeastern portion of the property fronting on Parallel Drive.
- Parcel C, 2.40 acres in size. Includes a 30,000 square foot building for multiple retail uses. Parcel C is located on the southwestern portion of the property fronting on Parallel Drive.
- Parcel D, .91 acres in size. Includes a 5,400 square foot building for a sit-down restaurant or retail space Parcel D is located on the south-central portion of the property.
- Parcel E, .59 acres in size. Includes a 2,000 square foot building for restaurant or retail space. Parcel E is located on the center portion of the property.
- Parcel F, 0.65 acres in size. Includes a 2,800 square foot building for a restaurant or retail space. Parcel F is located on the center portion of the property.
- Parcel G, 3.77 acres in size. Includes a 43,800 square foot building for a three story 70-unit hotel (39 feet in height), as well as a 3,000 square foot restaurant. Parcel G is located on the southeastern portion of the property fronting on Todd Road.
- Parcel H, 2.49 acres in size. Includes an 8,700 square foot building for retail or restaurant use. Parcel H is located on the central northern portion of the property fronting on Todd Road.
- Parcel I, 1.57 acres in size. Includes a 5,200 square foot building for retail uses, as well as a 2,300 square foot building for a restaurant. Parcel I is located on the northern portion of the property fronting on both Parallel Drive and Todd Road.

The commercial uses of the proposed properties listed above could change as long as they reflect the intent of the Major Retail in the General Plan and C-2, Major Retail zoning district. All buildings on the property, with the exception of the hotel, would be one story buildings, with the heights of those buildings ranging from 18 to 24 feet in height. The height of the hotel would be 39 feet in height. The project would provide parking for the commercial center with parking spaces distributed throughout the property. The proposed project would provide 397 parking spaces for the commercial center. Under the zoning ordinance based on the uses provided 388 parking spaces would be required for the proposed uses identified in the commercial center.



Proposed Site Plan

Per General Plan Policy CD 7.1, main points of entry to the project shall be clearly defined using distinctive signs, street lighting, and street trees. Staff recommends there be an enhanced entry into the project site between parcels A and I with "secondary" entry features and to enhance the entry between parcels B and C with more of a "main" entry feature that has yet to be defined. The "main" driveway should include a landscaped entry corridor, or a divided median drive separated by a landscaped center dividing island, as well as other features such as stamped entry, archways, pillars or other visual amenity. The entry designs will be required with submittal of the Sign Plan or prior to building permit plans, whichever is sooner.

The project would require significant grading of the property, that would include modifying the existing topography of the property with no significant export of materials. Object C1 of the General Plan is to conserve and enhance Lakeport's unique natural beauty and irreplaceable natural resources. Policy C 1.4 Hillside Protection requires that development in areas with a 25% slope or greater are required to limit grading and retain the natural terrain to the extent possible with a minimum area of 25% of the lot area remaining in its natural state. All grading for the property, which includes all three phases of the project, would be completed at the time of the original grading permit for the property. The grading plan includes grading the southern portion of the property down, moving that material to the lower areas on the northern portion of the property. The grading would leave a steeper slope along the Todd Road frontage, as well as between some of the proposed parcels. The project would require the placement of a storm drain through the property to address historic offsite stormwater flows on the property.

The project will include bioswales for onsite stormwater detention that provides not only onsite stormwater storage but recharge addressing the increase in impervious surfaces associated with the proposed improvements. The project includes extending water and sewer systems to serve the project. Existing water lines along Todd Road and Parallel Drive are adequate to serve the project. The existing wastewater line along Parallel Drive provides connectivity for sewer lines serving the project.

The project would include a sign permit that would include signage for each building and a freestanding sign along Parallel Drive. That freestanding sign would be 36 feet 10 inches in height, on an 8 to 10 foot high foundation. The freestanding sign would be located at either the southeastern entrance to the property from Parallel Drive or will be located at the highest point of the property on Parcel G. Sign height maximum is 25-feet. The applicant may request a variance.

In addition, the proposed improvements include private roadways through the property accessing the various commercial uses, pedestrian pathways throughout the commercial center. The properties also include a landscape plan for each of the commercial parcels. Utilities would also be directed thru the property to serve each commercial property. The project also includes right of way improvements to both Todd Road and Parallel Drive, which include curb, gutter and sidewalks, as well as half street improvements for all commercial development (where applicable). Parallel Drive shall be widened to accommodate a 5-foot bike lane, 12-foot southbound lane, 12-foot center turn lane, and a 12-foot northbound lane upon development of Phase 1. A system of pedestrian walkways at least five-feet wide and paved with concrete, stone, tile, brick, or other comparable material shall connect all buildings to each other, to on-site parking areas, and to the transit stop. Where pedestrian circulation routes cross vehicular traffic aisles and driveways, there shall be clearly delineated crosswalks that include clear sight lines, adequate warning signage for both vehicles and pedestrians, adequate lighting, and protective barrier posts or similar features for separation at walkway entrances. The pedestrian facilities should create an attractive, quality environment with integrated landscaping, shading, and lighting. The transit stop should be developed with effective shading, comfortable seating, attractive landscaping and efficient pedestrian routes to the adjacent development.

The Site contains a wetland swale that runs from the northwestern corner of the property from Todd Road through the property to the southeastern corner of the property at Parallel Drive. The total area of the wetland swale is 0.33 acres and would represent waters of the United States as part of the wetland delineation.

TENTATIVE SUBDIVISION MAP ANALYSIS: Section 16 of the Municipal Code sets forth the Lakeport Subdivision Ordinance provisions. Section 16.06.020 requires that a tentative and final subdivision map shall be required for all divisions of land into five or more parcels. The applicant has submitted a Tentative Subdivision Map to the City for approvals (Attachment E). The proposed subdivision includes the creation of nine (9) parcels, roadway improvements, provision of on-site utilities, grading, installation of drainage facilities, and other project improvements as previously described.

The basic concept of the proposed subdivision is consistent with the Lakeport General Plan designation of Major Retail and C-2, Major Retail Zoning. The Planning Commission has the responsibility to consider and approve, conditionally approve, or deny the

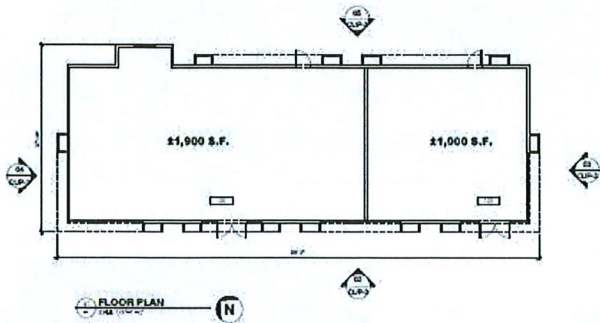
proposed Tentative Map. The Planning commission must find that the proposed subdivision, together with its design and proposed improvements is consistent with the Lakeport General Plan, and the provisions of the Subdivision Ordinance and Zoning Ordinance. The Planning commission may require as conditions of approval payment of all development fees, modify or delete any of the conditions of approval recommended in the Staff Report, or add additional requirements as a condition in order to protect the public's health, safety, and welfare.

The Tentative Subdivision Map has been prepared pursuant to the provisions of the Lakeport Subdivision Ordinance and contains information concerning ground surface topography, sewer and water utilities, storm water collection and conveyance facilities, existing soils and vegetation, flooding areas, creeks, surrounding development and other existing and proposed improvements. The Hub Tentative Subdivision Map proposes nine lots varying in size from half an acre to 3.77 acres. The parcels have been designed to accommodate a variety of uses, as well as parking. The development plan and conceptual landscaping plan submitted identifies proposed placement of structures on the subject parcels. At this time, the applicant has been working with specific concepts for parcels A, B and G. The Tentative Subdivision Map has been designed to provide flexibility to the remaining parcels and make available the opportunity for future development.

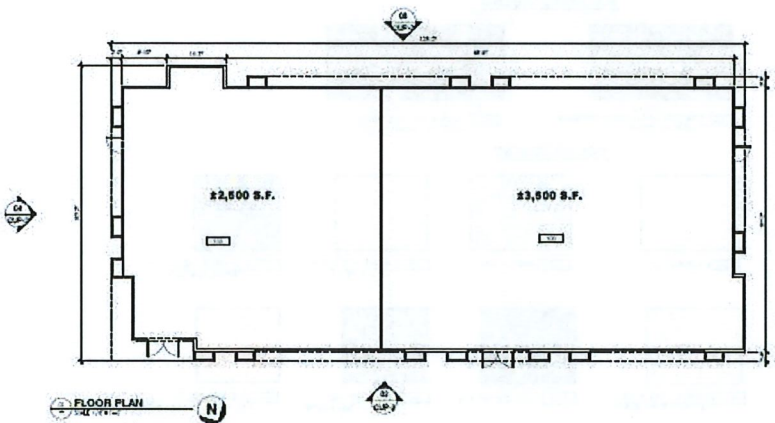
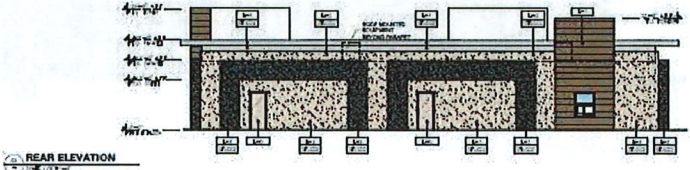
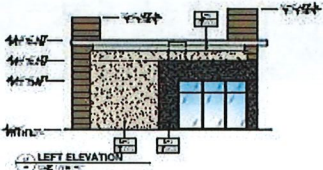
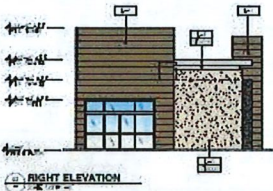
According to the Subdivision Ordinance, the City may require watercourses be placed entirely in underground conduits; however, Objective C1 of the General Plan is to conserve and enhance Lakeport's unique natural beauty and irreplaceable natural resources. Staff is recommending that the drainage facilities be maintained in a natural state and the use of bioswales be incorporated throughout the site. Resubmittal of the grading and landscape plans will be necessary upon design and building permit submittal with respect to the design of the storm water conveyance facilities in terms of ensuring the design accommodates the current proposal and satisfying best management practice for water quality. The concern is that as there may be redesign of property configuration these facilities may not be properly designed and functional in terms of providing necessary drainage and retention and it is staff's desire to provide flexibility when addressing changes.

If the Tentative Map is approved or conditionally approved by the Planning Commission, the Community Development Department must forward a written report to the City Council who may call the map up for review. If the Council by majority vote decides to review the map, it shall do so at a public hearing after giving notice in accordance with the Subdivision Ordinance. The City Council at a public hearing may add, modify, or delete conditions if determined to be necessary to ensure conformance with the California Subdivision Map Act

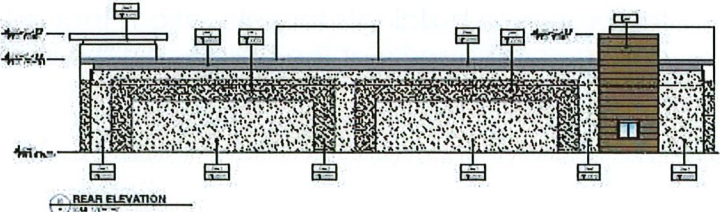
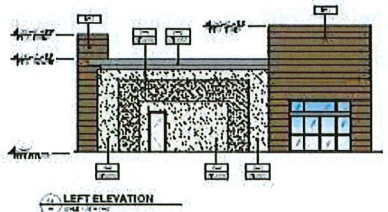
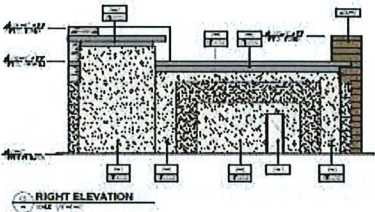
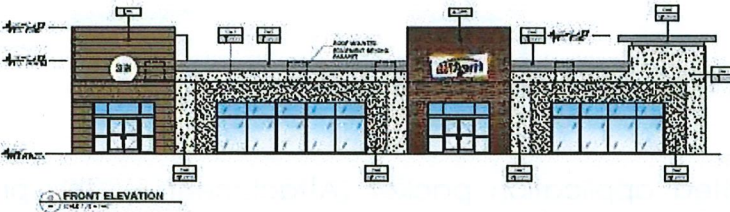
ARCHITECTURAL AND DESIGN REVIEW DISCUSSION & ANALYSIS: Section 17.27.110 of the Zoning Ordinance sets forth the Architectural and Design Review criteria and standards by which the Community Development Department and Planning Commission shall evaluate projects for compliance. The Planning Commission has the authority to require conditions as necessary to attain compliance with the standards of the Architectural and Design Review requirements outlined in the Zoning Ordinance. The following is an analysis of project compliance with required criteria which includes some discussion on areas where staff has recommended the inclusion of project conditions.



- BUILDING**
- 11,900 S.F.
 - 11,000 S.F.
- COLOR LEGEND AND MATERIAL**
- 1. LIGHT BROWN STONE
 - 2. DARK BROWN STONE
 - 3. LIGHT BROWN STONE
 - 4. DARK BROWN STONE
 - 5. LIGHT BROWN STONE
 - 6. DARK BROWN STONE



- BUILDING**
- 22,500 S.F.
 - 23,500 S.F.
- COLOR LEGEND AND MATERIAL**
- 1. LIGHT BROWN STONE
 - 2. DARK BROWN STONE
 - 3. LIGHT BROWN STONE
 - 4. DARK BROWN STONE
 - 5. LIGHT BROWN STONE
 - 6. DARK BROWN STONE





Proposed Building Elevations

As presented in the submitted application packet (Attachment E), the proposed buildings will be consistent and compatible with each other. The attached plans depict the proposed building's four elevations that add a modern design while maintaining the commercial integrity of the buildings in the immediate area.

Building Design: The exterior elevations of the proposed buildings include a parapet ("Winter Morn") that extends over the roof at a height that would screen a majority of the HVAC equipment on the roof, depending on the location of the HVAC equipment, some additional screening may be required. Conditions of approval would address any possible screening requirements for the HVAC equipment. The design of the exterior incorporates a large number of articulations of the façade and structural detail to reduce the linear impacts of the structures. Design features include vinyl siding appearing as mountain cedar and composite material "Rustic Walnut" to provide the appearance of wood surfaces to the columns and towers and all tower features shall be wrapped on all sides (including rear). The main building area is proposed to be stucco painted "Practical Tan" with an alternative color of "Black Lead" to create definition to the areas that are offset from the main plane.

Staff is recommending Condition #23 that façade features be either architecturally similar to the front elevation façade along the rear of the building to ensure 360 architecture and consistent design application or the applicant may provide additional material and/or architectural/landscaping detail such as trellises, colorful or metal awnings, or an expanded color palette particularly on Parcel B where the rear of the building faces Parallel Drive. This condition can be easily removed if the Planning Commission is comfortable with the presented elevations as provided by the applicant. The proposed recommended façade change together with proposed landscaping will adequately provide an aesthetically pleasing visual break on an otherwise blank wall face. Additional modification would incorporate General Plan Policy CD 7.7 which requires that special building features such as towers and cornices as well as columns should be highlighted through lighting techniques and should be incorporated in the design.

Building Location: In the review of the project, the applicant has worked with the City in designing the site plan that reflects the Nodal Commercial Development as defined in the General Plan. By clustering similar land uses, nodal development allows for such conveniences as shared parking, pedestrian friendly site design, and reduced overall land consumption. Parking is set to reduce impacts on the streetscape and improve visual aesthetics. The proposed Nodal Commercial Development design provides a more pleasing design aesthetic to the pedestrian and motorist. The proposed design will also provide an opportunity for future infill commercial development on un-developed areas of this site reducing the impact of sprawl. The development is supported by Policy CD 2.2 of the General Plan, the City shall encourage clustered commercial development nodes and Policy CD 2.3 that commercial development should be clustered near major intersections.

Signage: The current sign proposal includes a freestanding sign either along Parallel Drive or will be located at the highest point of the property on Parcel G. That freestanding sign is proposed to be 36 feet 10 inches in height, on an 8 to 10 foot high foundation. Sign height maximum is 25-feet.

The applicant will be required to submit a Sign Plan that would serve a large shopping center (greater than 50,000 s.f.) in accordance with 17.52.040(O). The goal of a sign plan would be to have continuity between the variety of buildings (General Plan Policy CD 7.6) and shall be reviewed by the Planning commission in coordination with building permit submittal. As proposed, the applicant, with the Sign Plan, would need to request

a variance to exceed the sign height allowance, with a letter defending this request and justification.

Parallel Drive Street Improvements: The city requires curb, gutter and sidewalks, as well as half street improvements for all commercial development (where applicable). Parallel Drive shall be widened to accommodate a 5-foot bike lane, 12-foot southbound lane, 12-foot center turn lane, and a 12-foot northbound lane upon development of Phase 1. Sidewalk shall be a minimum width of five feet on the western side of Parallel Drive and gutter width shall be 24 inches. The design traffic index shall be 8. The structural section shall be based on a minimum of 2 R-value samples taken from the shoulder of Parallel Drive. Consideration should be given to FDR or CIR designs as appropriate. Deflection testing analysis of the adequacy of the existing roadway will be considered.

Todd Road Street Improvements: The design of the project intentionally directs all traffic to the three Parallel Drive entrances to avoid conflict with the uses along Todd Road. The city will require curb, gutter and sidewalk, as well as half street improvements along the frontage upon development of Parcel G. While Todd Road is identified in the General Plan as an Arterial, the road transitions from commercial zoning to residential which may provide justification to limit widening of the roadway. Additionally, Parallel Drive serves the same purpose as an Arterial and is better suited to carry heavy flows of traffic. The design traffic index shall be 8. The structural section shall be based on a minimum of two R-value samples taken from the shoulder of Todd Road Drive. Consideration should be given to FDR or CIR designs as appropriate. Deflection testing analysis of the adequacy of the existing roadway will be considered. If the existing roadway is sufficient for a TI=7.0, then only widening needs to occur.

Landscaping & Miscellaneous Site Features: The applicant submitted a draft landscape plan to be incorporated into the project. Staff requests that the Planning Commission only review and approve landscaping within Phase One (Parcels A and B) which would allow the flexibility necessary for appropriate design of future Phases.

Landscape Plan

The project proposes landscaping along the street frontages, as well as surrounding the parking area. While Lake County continues to be within attainment for air quality standards, Objective C 3 request the City to maintain the good air quality and continue to have attainment status. The Lakeport area experiences summers with an average temperature in the mid 90's during the daytime. In order to mitigate the urban heat island, staff recommends planting trees and vegetation in key locations and provide shading for building and pavement to include one tree island for every eight parking spaces with at least six feet in all interior dimensions and containing at least one 15 gallon size tree. Conditions of approval include that the property owner shall be responsible for the trees and that they be maintained in good condition and replaced when necessary. The proposed trees and shrubs around the parking lot meets the landscaping criteria for parking lots, as defined in the Zoning Ordinance. Plantings identified on the landscape plan are drought tolerant plants, consistent with the City of Lakeport and California water efficiency standards. Due to the size of the landscaped area, the applicant will be required to submit a Landscape Documentation Package compliant with MWEL0 with the building permit submittal.

The center will require several trash enclosures. Solid waste and recycling areas shall be consolidated to minimize the number of collection sites and located so as to reasonably

equalize the distance from the building spaces they serve. Enclosure material shall be solid masonry or concrete tilt-up with decorated exterior-surface finish compatible to the main structures. Gate material shall be decorative, solid, heavy-gauge metal or a heavy-gauge metal frame with a covering of a view-obscuring material.

The perimeter of the recycling and trash enclosure, except for areas used for access, shall be planted, if feasible, with drought resistant landscaping, including a combination of shrubs and/or climbing evergreen vines. The number of required collection sites shall be determined by the Lakeport Disposal Company upon building permit submittal.

As a condition of approval, the developer shall install a six-foot block wall and install mature trees along the southern border of Parcel G at 1 per every 35 feet on center to create a landscape buffer between the single-family residence south of the proposed Hotel site.

Lighting

The City of Lakeport encourages incorporation of those principals identified by the Dark Sky Association, that reduces light pollution. Lighting fixtures shall not exceed a maximum height of 40 feet. Lighting used to illuminate parking areas shall be designed, located, and installed to be shielded and downlit and to reflect away from any nearby residential uses. Lighting for advertising signs shall not create glare or light which extends to surrounding properties. All lighting would be conditioned to be downlit and have no offsite glare. A photometric plan was submitted but may require updating at the time of building permit submittal based on changes made.

Drive-Through Facilities.

Drive-through lanes for restaurants, banks, pharmacies and other uses, where included, shall be laid out in such a way to provide safe, efficient vehicular and pedestrian circulation. Adequate vehicular stacking or queuing spaces shall be provided to avoid waiting vehicles from blocking drive aisles. Drive-through facilities should be designed so as to minimize the visual impact from the right-of-way and shall be screened to a height of a least three and on-half feet. Screening devices shall consist of walls and/or landscaped berms.

Utilities and Drainage

All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site. Zero net increase in runoff is required. Prior to building permit submittal, a full drainage report shall include a flow analysis of all flows entering the property from upstream sources including any upstream detention facilities. This includes the existing flows from the 24" off of Todd Road and the 12" and 15" off of Parallel. The report shall provide drainage runoff calculations from each drainage area both on and off site. The revised report shall take into account the effect on flows of the proposed storm drainage facility containing 90 degree turns within manholes.

The runoff from the site along with existing runoff is limited by the 30"x 36" elliptical CMP pipe downstream at the entrance to the Hospice property. Currently, the flows from the property enter into an open ditch located behind the sidewalk. The capacity of this swale and the 30"x36" CMP shall be computed as part of the report.

The off-site flow from the storm drain to be constructed along Parallel Drive and the onsite storm drainage will have to be channeled into this ditch. This will likely require obtaining a construction easement from Hospice.

At the north end of Parallel Drive, two existing storm drainage pipes drain to the west side of Parallel. These include a 12-inch stub on the north end of the project and a 15- inch crossing near the north end. These should be connected to a storm drain pipe along the new western edge of the roadway to the southern end of the project, including curb inlets on the uphill side of each driveway entrance. At the southern end, the pipe shall be channeled into the open ditch behind the sidewalk in front of Hospice.

The plan to pipe the flows throughout the site was not acceptable for maintenance purposes and instead shall be provided through a series of open bioswales. The existing 24-inch storm drainage pipe currently connects to a proposed 36 inch storm drain pipe which meanders throughout the site and which connects to the on site storm drainage. This arrangement poses future maintenance difficulties for the City due to this comingling of facilities. This pipe should extend over to Parallel Drive in a dedicated extension to the new storm drain line along Parallel Drive. A 20-foot maintenance easement for this line would be required for future maintenance by the City. At the base of cut slopes greater than 4:1 and higher than five feet, provisions shall be made to capture erosion behind the sidewalk or curbs along parallel drive. The City Engineer shall review revised plans prior to building permit issuance. A public utilities easement or additional right of way extending five feet behind the face of curb is required along Parallel Drive.

Parking: Under the Parking Ordinance 17.23.050, commercial retail requires parking for a variety of uses. Based on the proposed project, 388 parking spaces would be required. Objective CD 6 of the General Plan requires that parking facilities consume the minimum amount of land possible and not detract from the visual quality. Additionally, CD 6.2 and CD 6.4 request that building facades be contiguous with the street frontage and parking areas hidden and buffered from the street. Policy CD 6.3 requires joint parking facilities for commercial. The proposed plan provides for 397 stalls. The location of parking and building frontage, with the addition of landscaping throughout and condition that one tree island for every eight parking spaces would provide the necessary and desired buffering.

Traffic/Circulation: A Traffic Impact Analysis was performed on behalf of the proposed project by TJW Engineering, Inc. (April 26, 2021). The project is projected to generate 270 net total AM peak hour trips, 319 net total PM peak hour trips and 4,860 net total daily trips. A level of service (LOS) and vehicle miles traveled (VMT) analysis was conducted for the proposed project. The following intersections in the vicinity of the project site have been included in the intersection level of service (LOS) analysis:

1. Lakeport Blvd / SR-29 NB Ramps
2. Lakeport Blvd / SR-29 SB Ramps
3. Lakeport Blvd / Parallel Drive
4. SR-175 / Parallel Drive
5. SR-175 / SR-29
6. Lakeport Blvd / Bevins Street
7. Parallel Drive / Project Driveway 1
8. Parallel Drive / Project Driveway 2

9. Parallel Drive / Project Driveway 3

LOS is used to rank traffic operation on various types of facilities based on traffic volumes and roadway capacity using a series of letter designations ranging from A to F. Generally, LOS A represents free flow conditions and LOS F represents forced flow or breakdown conditions. The previously listed intersections were analyzed under the following study scenarios.

- Existing Conditions (Existing);
- Existing with Project Conditions (EP);
- Future Year 2040 No Project Conditions (2040 NP); and
- Future Year 2040 with Project Conditions (2040 WP).

Based on the Traffic Study, the project will participate in the cost of off-site improvements through payments to the City adopted traffic impact fee program. The program's contribution to a transportation improvement funding mechanisms or as a fair share contribution (Table ES-3) towards a cumulative impacted facility should be considered sufficient to address the project's fair share towards mitigation measure(s) designed to alleviate cumulative project impacts. As the majority of the project development is unknown, staff recommends these fees be paid proportionally between Phase 1 and Phase 2 and shall be paid at the time of the building permit process.

Cultural and Tribal Resources: *A Cultural Resources Determination of Eligibility and Effect for the Lakeport Hub* was prepared by Peak & Associates, Inc (Peak). on November 13, 2019, to identify and present any archaeological, historical, or cultural resources located within the Area of Potential Effect (APE). Peak conducted a records search (File Number 19-0641) at the Northwest Information Center (NWIC), located on the campus of Sonoma State University, in Rohnert Park, California, which included a review of all study reports on file within a one-quarter mile radius of the project area. A total of 11 previous studies have been completed within the records search radius, with no previous studies conducted within the project area. As provided in the Cultural Resources Report, no cultural resources are documented within the project APE. In addition, review of historic registers and inventories indicate that no historical landmarks or points of interest are present within the project area, nor are there any National Register-listed or eligible properties within a half-mile radius of the project area.

Peak contacted the Native American Heritage Commission (NAHC), to request a Sacred Lands File (SLF) search for any resources present within the project area and to request the contact information for the representatives of the Native American Tribes associated with the area. In a letter response dated October 15, 2019, the NAHC indicated the SLF search returned a positive result and provided the contact information for five (5) local Tribal representatives. In compliance with Assembly Bill (AB) 52, on October 15, 2019, Peak sent a consultation letter to each of the Tribal representatives. The Big Valley Band of Pomo Indians stated they have a "clear interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project." No additional responses or other communications have been received from the Native community regarding the project.

Field work was conducted on October 18, 2019, and included a cultural resources inventory of the project area, totaling approximately 15.5 acres. Ground surface visibility

was significant due to recent removal of walnut trees and roots on the property. As noted in the Cultural Resources Report, the entire project area was surveyed using intensive survey coverage with transects spaced less than 15 meters apart. Ground visibility was generally good as recent tree removal activities left large areas of exposed sediment scattered across the project area.

With the high probability of finding cultural resources on the site the City would recommend two measures in the event of inadvertent discovery of cultural resources or human remains during project implementation (Mitigation Measures CULT-1 and CULT-2). In response to Big Valley Band of Pomo Indians' request for a cultural monitor to be present on-site during any and all ground disturbance to be undertaken by the project, a third mitigation measure (Mitigation Measure CULT-3) has been included.

Agency Review Comments: The submitted plans were provided to the Building Official, City Engineer, City Public Works, Environmental Health, Lakeport Disposal, Scotts Valley and Big Valley Band of Pomo Indians, Air Quality Management, Lake County Transit, Police and Fire District for their review.

- Building Official: No building issues yet
- Utilities: Staff prefers that water would be supplied from the Todd Road side. This would require an 8" main line tied in at Lakeport Blvd and Todd Road and run the length of the parcel along the West side. It would enter the property at the proposed driveway at the South West corner. This would benefit our system by eliminating a dead end. It would benefit the subdivision by providing another water main for redundancy. Internal backflow devices will be required for all individual domestic applications. Fire hydrants and stand pipes need to be called out. Grease traps will be required for all proposed food facilities.
- City Engineer: Provide a bus stop pull out and shelter on Parallel Drive. Coordinate with Lake County Transit for location and details. Provide one van accessible stall to each isolated building along with the other required total handicap spaces distributed based on building area and use percentages. Delineate accessible path from street and each accessible parking stall to each building door. Indicate what type of walkway transitions will be used at each location (ramp, pedestrian table, etc). Provide detailing on all slopes along accessible paths including handrails and landings for sidewalks in excess of 5.0% longitudinal slopes (such ramps only allowed if no other provisions available). Parking stall dimensions shall be 9-foot minimum width by 20-foot minimum depth. No parking bumpers allowed. Other comments were provided within the staff report.
- Environmental Health: No comment
- Air Quality Management: No comment
- Lakeport Disposal: Will review upon building permit submittal
- Big Valley Band of Pomo Indians: Has a clear interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project
- Scotts Valley Band of Pomo Indians: No comment
- City Police: Comments addressed during redesign
- Fire District: No comments at this time.
- Lake County Transit: Did not reply
- Mediacom: No response

The conditions of approval would address many of the concerns raised, while other concerns raised would be addressed as part of the Building Permit process. Project Conditions of Approval and vicinity map are attached.

Required Findings: Section 17.27.080 requires the Planning Commission to make specific findings in its approval of an Architectural and Design Review application. Staff reviewed all of the criteria applicable to this project and has determined that the proposed improvements are in compliance with the Architectural and Design Review standards as set forth in the Municipal Code and recommends the following findings be made:

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 commercial retail. The project as proposed is consistent with the Lakeport Zoning Ordinance.

Finding 2: The project is in substantial compliance with the design criteria. The design, materials and color of the building will incorporate a modern design, with various articulations in the linear design to provide character to the building, and would reflect a harmonious design within the immediate area, as well a landscaping that would reduce and soften the visual impact of the building. The scale of the buildings and color harmonize with other buildings, while providing a design consistent with the requirements of the Architectural and Design Review section. 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 commercial retail facility at its proposed location reflects that objective by fostering economic growth, while complimenting adjacent land uses. In addition, the location of the building reflects the Nodal Commercial Development as defined in the Community Design Element in the General Plan and provides opportunity for additional infill development at this site.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

On December 9, 2021, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project in light of the studies prepared and with implementation of defined mitigation measures related to Air, Biological Resources, Cultural Resources, Geology, Hazards and Hazardous Materials, Noise and Tribal Cultural Resources. The Initial Study and proposed Mitigation Measures have been transmitted to the State Clearinghouse, interested agencies, groups, and individuals for a 30-day review period from December 10, 2021 through January 10, 2022. At the time of writing the staff report, no comments were received.

CONCLUSION AND DECISION: Based on the information provided by the applicant and the comments received from City staff, a finding is made that the construction of the Hub Commercial Center located at 1842 Todd Road is in general conformance with the Lakeport General Plan and Municipal Code. A Mitigated Negative Declaration has been prepared and is recommended for adoption. The proposed subdivision has been designed in general conformance with the provisions of the Lakeport Subdivision Ordinance and California Subdivision Map Act.

There are issues that require further refinement and analysis; however, generally speaking the project fits the location and is consistent with the General Plan and Zoning and Subdivision Ordinance.

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

SAMPLE MOTIONS

Mitigated Negative Declaration Approval

I move that the Planning Commission make the findings, based on the facts presented in the Initial Study for the Lakeport Hub Commercial project, that the significant environmental impacts and effects that have been identified are mitigated by the recommended measures and conditions of approval to a less than significant level and that Application 2019-20 for the tentative Subdivision Map, Architectural and Design Review Application, Zoning Permit, and Use Permit as applied for by New Vista Development will not have a significant effect on the environment as provided for in the California Environmental Quality Act.

Tentative Subdivision Map Approval

I move that the Planning Commission approve the proposed Tentative Subdivision Map for the Hub Commercial Project subject to the recommended conditions, and direct staff to submit the Staff Report findings and decisions to the City Council in accordance with Section 16.08.080 of the Lakeport Subdivision Ordinance. Approval of the Tentative Subdivision Map is based on the findings that the proposed project is in compliance with Section 16.17.010 through 16.17.070 and Sections 16.18.020 through 16.18.110 of the Lakeport Subdivision Ordinance.

Architectural and Design Review Approval

I move that the Planning Commission find that the Architectural and Design Review applied for by New Vista Development, LLC, on property located at 1842 Todd Road 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 C), and with the findings listed in the staff report.

Use Permit Approval

I move that the Planning Commission find that the Use Permit applied for by New Vista Development, LLC for the development of a 70-room hotel to be located at 1842 Todd Road does meet the requirements of Chapter 17.24 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 C), and with the findings listed in the staff report.

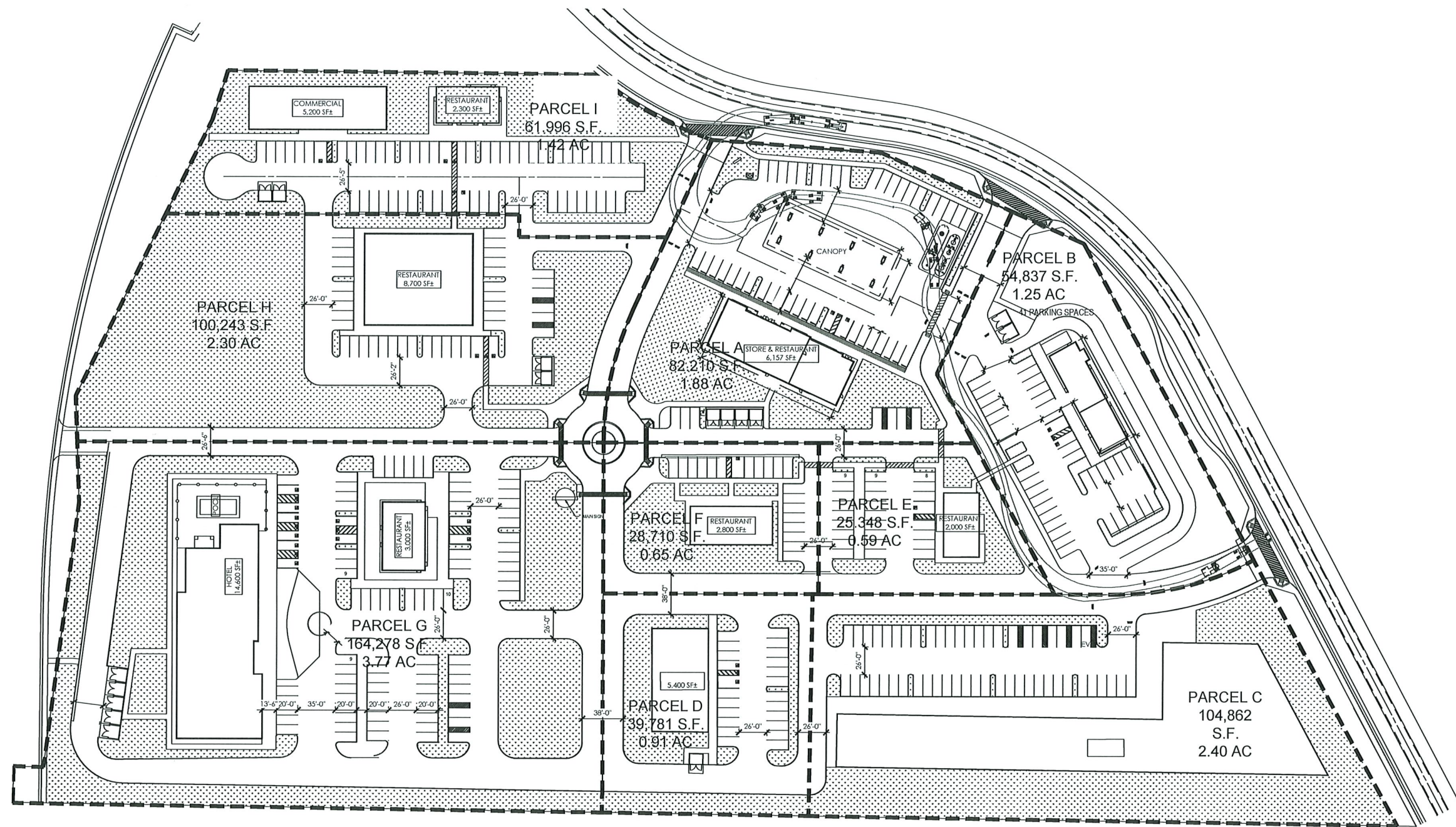
The Planning Commission's recommendation and approval of the requests are based on the information and documentation submitted by the project proponent; the information and documentation contained within the Staff Report and Initial Study dated December 9, 2021; the information and facts received at the public hearing conducted on January 12, 2022; and on the fact that the project is in conformance with the with the criteria and standards specified in the Lakeport Zoning Ordinance and Subdivision Ordinance.

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

Attachment A: Site Map
Attachment B: Initial Study Executive Summary
Attachment C: Project Conditions Agreement
Attachment D: Application; Elevation; & Colors

The complete Initial Study with Exhibits are available upon request or on the city's website at:

<https://www.cityoflakeport.com/Lakeport%20Hub%20Draft%20IS-%20Public%20Review.pdf>



01 PROPOSED MASTER SITE PLAN
SCALE: 1"=50'



TOTAL AREA= ±674,308 S.F. (15.48 ACRES)

TOTAL PARKING
• ACCESSIBLE PARKING = 18 SPACES
• ELECTRICAL VEHICLES = 19 SPACES
• STANDARD PARKING = 360 SPACES

LAKEPORT SHOPPING CENTER
1842 TODD RD
LAKEPORT, CA
PROPOSED MASTER SITE PLAN

consultant job#
master release date
project
exe date
09.24.19
Filename AGC
Facility/Project

sheet name
CUP-1

REVISIONS

NO. DATE

BY

AGC DESIGN CONCEPT, INC.



28524 Constellation Rd
Valencia, CA 91355
Phone: 661.295.1111

EXECUTIVE SUMMARY

FOR

LAKEPORT HUB/1842 TODD ROAD PROJECT

December 2021

Lead Agency:
City of Lakeport



Lead Agency Contact:

Jenni Byers, Community Development Director
City of Lakeport
Community Development Department
225 Park Street, Lakeport, California 95453
(707) 263-5615

FULL DOCUMENT WITH ATTACHMENTS ARE AVAILABLE FOR REVIEW AT:

**CITY OF LAKEPORT
225 PARK STREET
LAKEPORT, CA 95453
www.cityoflakeport.com**

I. PROJECT SUMMARY

Date: December 2021

Project Title: Lakeport Hub / 1842 Todd Road

Lead Agency: City of Lakeport

Contact: Jenni Byers, Community Development Director
City of Lakeport
Community Development Department
225 Park Street, Lakeport, California 95453
(707) 263-3056 #204

Applicant: Rahul Bhatt
New Vista Developers, LLC
3774 Jamestown Road
Fremont CA. 94538
(408) 533-5393

Location: The Lakeport Hub Project (project) is proposed within the City of Lakeport, located at 1842 Todd Road, APN 005-045-15. The property is approximately 15.5 acres with frontage along a portion of Todd Road to the west and frontage along a portion of Parallel Drive to the east. To the north of the property are fast food restaurants and gas stations located along Lakeport Boulevard. To the south of the property is the Hospice offices and residential properties. Residential properties exist to the west and south of the property along Todd Road. Directly east of Parallel Drive is State Highway 29 (see Figure 1).

Coastal Zone: No

Affected Parcel(s): Assessor's Parcel Number (APNs) 005-045-15, in addition to the City's right-of-way along the frontage of Todd Road and Parallel Drive

City of Lakeport General Plan Land Use Designation: Major Retail (see Figure 3)

City of Lakeport Zoning Designation: C-2, Major Retail (see Figure 4)

Anticipated Permits and Approvals:

- 1) City of Lakeport approval of the Draft Initial Study/Mitigated Negative Declaration
- 2) City of Lakeport Architectural and Design Review Permit
- 3) City of Lakeport Tentative Subdivision Map
- 4) City of Lakeport Use Permit
- 5) City of Lakeport Zoning Permit
- 6) US Army Corp of Engineers (USCOE) Wetland mitigation Plan

Tribal Cultural Resources: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a

plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Peak & Associates, Inc., on behalf of the City of Lakeport, contacted the Native American Heritage Commission (NAHC), to request a Sacred Lands File (SLF) search for any resources present within the project area and to request the contact information for the representatives of the Native American Tribes associated with the area. In a letter response dated October 15, 2019, the NAHC indicated the SLF search returned a positive result and provided the contact information for five (5) local Tribal representatives. On October 15, 2019, in compliance with Assembly Bill (AB) 52, Peak & Associates sent a consultation letter to each of the five (5) Tribal representatives. The City of Lakeport has sent a "Request for Review" to both the Big Valley Band of Pomo Indians and the Scotts Valley Band of Pomo Indians in a letter dated October 7, 2019. The Tribe expresses interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project.

As of the date of this Initial Study, no additional responses or other communications have been received from the Native community regarding the project.

CEQA Requirement:

The proposed project is subject to the requirements of the California Environmental Quality Act (CEQA). The Lead Agency is the City of Lakeport. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. This IS is intended to satisfy the requirements of the CEQA (Public Resources Code, Div. 13, Sec. 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387).

CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts (CEQA Section 20180(c)(2) and State CEQA Guidelines Section 15070(b) (2)).

Section 15063(d) of the State CEQA Guidelines states that an IS shall contain the following information in brief form:

- 1) A description of the project including the project location
- 2) Identification of the environmental setting
- 3) Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to provide evidence to support the entries
- 4) Discussion of means to mitigate significant effects identified, if any
- 5) Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls
- 6) The name of the person or persons who prepared and/or participated in the Initial Study

II. PROJECT DESCRIPTION

The Lakeport Hub Project (project) involves subdividing the 15.5-acre parcel to nine parcels for the purpose of developing a commercial center that would include a service station, six to eight restaurants, two retail buildings and a 70-room hotel. The commercial center would include on-site roadways accessing those commercial uses, with parking and landscaping distributed around the property, as well as serving each proposed parcel. Access to the commercial center would be primarily from Parallel Drive, with three driveways into the center along Parallel Drive. The commercial development would be phased in with the service station and a restaurant on Parcels A and B representing Phase One; the hotel and restaurant on Parcels G representing Phase Two; and the remaining commercial retail and restaurants on the remaining Parcels would represent Phase Three and would be developed as commercial tenants are found.

The project would require significant grading of the property, that would include modifying the existing topography of the property with no significant export of materials. All grading for the property, which includes all three phases of the project, would be completed at the time of the original grading permit for the property. The grading plan includes grading the southern portion of the property down, moving that material to the lower areas on the northern portion of the property. The grading would leave a steeper slope along the Todd Road frontage, as well as between some of the proposed parcels. The project would require the placement of a storm drain through the property to address historic offsite stormwater flows on the property. The project includes an onsite stormwater detention facility in the center of the property that provides onsite stormwater storage and recharge addressing the increase in impervious surfaces associated with the proposed improvements. The stormwater system located in the center of the property would serve all nine parcels. The project includes extending water and sewer systems to serve the project. Existing water lines along Todd Road and Parallel Drive are adequate to serve the project. The existing wastewater line along Parallel Drive provides connectivity for sewer lines serving the project.

The commercial center consists of nine parcels which includes the following development for each lot (also see Figure 2):

- Parcel A, 1.91 acres in size. Includes a 6,157 square foot building for a service station and drive thru restaurant, as well as a 4,700 square foot canopy for the service station. Parcel A is located on the northern portion of the property fronting on Parallel Drive.
- Parcel B, 1.31 acres in size. Includes a 2,900 square foot building for one drive thru restaurant and other retail space. Parcel B is located on the northeastern portion of the property fronting on Parallel Drive.
- Parcel C, 2.40 acres in size. Includes a 30,000 square foot building for multiple retail uses. Parcel C is located on the southwestern portion of the property fronting on Parallel Drive.
- Parcel D, .91 acres in size. Includes a 5,400 square foot building for a sit-down restaurant or retail space. Parcel D is located on the south-central portion of the property.
- Parcel E, .59 acres in size. Includes a 2,000 square foot building for restaurant or retail space. Parcel E is located on the center portion of the property.
- Parcel F, 0.65 acres in size. Includes a 2,800 square foot building for a restaurant or retail space. Parcel F is located on the center portion of the property.
- Parcel G, 3.77 acres in size. Includes a 43,800 square foot building for a three story 70-unit hotel (39 feet in height), as well as a 3,000 square foot restaurant. Parcel G is located on the southeastern portion of the property fronting on Todd Road.

- Parcel H, 2.49 acres in size. Includes an 8,700 square foot building for retail or restaurant use. Parcel H is located on the central northern portion of the property fronting on Todd Road.
- Parcel I, 1.57 acres in size. Includes a 5,200 square foot building for retail uses, as well as a 2,300 square foot building for a restaurant. Parcel I is located on the northern portion of the property fronting on both Parallel Drive and Todd Road.

The commercial uses of the proposed properties listed above could change as long as they reflect the intent of the Major Retail in the General Plan and C-2, Major Retail zoning district. All buildings on the property, with the exception of the hotel, would be one story buildings, with the heights of those buildings ranging from 18 to 24 feet in height. The height of the hotel would be 39 feet in height. The project would provide parking for the commercial center with parking spaces distributed throughout the property. The proposed project would provide 397 parking spaces for the commercial center. Under the zoning ordinance based on the uses provided 388 parking spaces would be required for the proposed uses identified in the commercial center.

The project would include a sign permit that would include signage for each building and a freestanding sign along Parallel Drive. That freestanding sign would be 36 feet 10 inches in height, on an 8 to 10 foot high foundation. The freestanding sign would be located at either the southeastern entrance to the property from Parallel Drive or will be located at the highest point of the property on Parcel G.

In addition, the proposed improvements include private roadways through the property accessing the various commercial uses, pedestrian pathways throughout the commercial center. The properties also include a landscape plan for each of the commercial parcels. Utilities would also be directed thru the property to serve each commercial property. The project also includes right of way improvements to both Todd Road and Parallel Drive, which include curb, gutter and sidewalk.

III. PROJECT SETTING AND LOCATION

The Site is located within the northern portion of the City of Lakeport, approximately one-half mile west of Clear Lake and adjacent to and westerly of Highway 29. The site has been used for a walnut orchard; those walnut trees were recently removed. Other than the walnut orchard, the property is vacant. The project would occur on a 15.5-acre parcel. The Site is located between Todd Road and Parallel Drive, southerly of a number of fast food and service stations along Lakeport Boulevard (Hamburger Hill).

The topography of the site is varied, increasing from approximately 1,354 feet above mean sea level (amsl) in the southeastern portion of the Site, increasing to a maximum of approximately 1,416 feet amsl at an existing knoll in the western portion of the site.

The Site contains a wetland swale that runs from the northwestern corner of the property from Todd Road through the property to the southeastern corner of the property at Parallel Drive. The total area of the wetland swale is 0.33 acres and would represent waters of the United States as part of the wetland delineation.

IV. ENVIRONMENTAL EFFECTS

An environmental checklist follows this section and addresses all potential adverse effects resulting from the proposed project. No significant adverse effects are expected from any of the proposed activities.

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a **"Potentially Significant Impact"** or **"Potentially Significant Unless Mitigation Incorporated"** as indicated by the checklists on the following pages.

	Aesthetics		Agriculture and Forestry Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources		Energy
X	Geology/Soils		Greenhouse Gas Emissions	X	Hazards & Hazardous Materials
	Hydrology/Water Quality		Land Use/Planning		Mineral Resources
X	Noise		Population/Housing		Public Services
	Recreation		Transportation	X	Tribal Cultural Resources
	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers consider the whole action involved and the following types of impacts: off-site and on-site; cumulative and project-level; indirect and direct; and construction and operational. The explanation of each issue identifies (a) the threshold of significance, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. All mitigation measures required for the project are provided in the Mitigation Monitoring and Reporting Program (MMRP) (see Appendix A).

In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant, and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the proposed project.

DETERMINATION: (To be completed by the Lead Agency on the basis of this initial evaluation)

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Jennifer M. Byers, Community Development Director
Name and Title

December 9, 2021
Date



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

PROJECT CONDITIONS AGREEMENT

*This Agreement is entered into by **Rahul Bhatt, representative for New Vista Development, LLC**
(hereinafter applicant/owner/developer).*

RECITALS

WHEREAS, applicant/owner/developer applied to the City of Lakeport an application for application for the Lakeport Hub Commercial Project (project) which involves the approval of a Mitigated Negative Declaration, a subdivision map of, Architectural and Design Review, a Zoning Permit for a service station and a Use Permit for a hotel with greater than 50 units, located on APN 005-045-15, 1842 Todd Road; and

WHEREAS, the Planning Commission of the City of Lakeport at its regularly scheduled meeting of January 12, 2022, conducted a public hearing to consider entitlements needed to permit the proposed Hub project (App 2020-19); and

WHEREAS, the Lakeport Planning Commission prepared findings in support of approval of the Mitigated Negative Declaration of environmental impacts for the Lakeport Hub Commercial Project; and

WHEREAS, on January 12, 2022, the Lakeport Planning Commission adopted the Mitigated Negative Declaration with mitigation measures prepared for the project in compliance with CEQA guidelines; and

Whereas, the City of Lakeport has granted applicant/owner/developer's application for the Tentative Subdivision Map, Architectural and Design Review and Use Permit subject to the following conditions:

1. The developer/applicant shall comply with all mitigation measures (Exhibit A) adopted as a component of the approval of the Mitigated Negative Declaration for this project.
2. The applicant/owner/developer shall execute a signed copy of this Project Conditions Agreement within 30 days of Planning Commission approval.

3. The project shall be developed in accordance with the approved plan and the conditions of approval imposed by the Planning Commission.
4. The applicant/owner/developer shall construct the buildings and complete all site improvements including parking areas, landscaping, and other project components in accordance with the Lakeport Municipal Code and California Building Code prior to the issuance of an occupancy permit. A building permit shall be obtained from the City prior to the start of construction.
5. The project must comply with latest applicable codes.
6. The applicant/owner/developer shall submit a revised subdivision map prepared by a licensed civil engineer identifying property dimensions, building setbacks, parking and driveway, site grade, and other improvements that meet the requirements of the Subdivision Ordinance and of all applicable codes prior to the issuance of a building permit.
7. The applicant/developer shall prepare street improvement plans for the internal street network and off-site improvements to Parallel Drive and Todd Road (including curb, gutter and a 5' sidewalk) in accordance with the provisions of the Subdivision Ordinance to be approved prior to the recordation of the subdivision map or the issuance of construction permits.
8. The applicant/developer shall file the subdivision map in accordance with the approval granted by the City of Lakeport within the required time frames identified in the City of Lakeport Municipal Code and the California Subdivision Map Act.
9. The subdivision map shall be prepared by a licensed land surveyor or a civil engineer licensed to do surveying. Said map shall be submitted with all data required by the Municipal Code including travers sheets, guarantee of title, tax statements, and any other required data. The applicant/developer shall pay the required review, checking, and filing fees.
10. Durable survey monuments shall be installed or referenced at the following locations:
 - a. Boundary corners.
 - b. At the beginning and ending of property line curves and points of intersection.
 - c. Lot corners or at any other location at the discretion of the City Engineer.
11. As development of any parcel occurs, all right of way improvements along that parcel's frontage shall be constructed in accordance with the mitigation measures and recommendations from the City Engineer and the TJW Engineering, Inc traffic study (2020).

12. A public utilities easement or additional right of way extending five feet behind the face of curb is required along Parallel Drive.
13. The drive aisle between Parcels A/B; A/I; A/H; A/E; A/F and B/C shall be fully developed and provide connectivity from the secondary access to main access when Phase One is developed.
14. An easement shall be recorded prior to the issuance of the first building permit that provides ingress/egress, parking, trash and connectivity throughout the development.
15. The applicant shall submit a Sign Plan indicating all signage, including building-mounted, free-standing, parking lot, ancillary, and directional signs for further review by the Planning Commission. If the applicant desires a freestanding sign to exceed the sign height allowance, a request for a variance, with a letter defending this request and justification should be included in the application.
16. The Sign Plan or prior to the first building permit, whichever is first, the applicant shall incorporate an enhanced entry into the project site between parcels A and I with "secondary" entry features and to enhance the entry between parcels B and C with more of a "main" entry feature that has yet to be defined. The "main" driveway should include a landscaped entry corridor, or a divided median drive separated by a landscaped center dividing island, as well as other features such as stamped entry, archways, pillars or other visual amenity.
17. Street-lights shall be installed by the subdivider/developer at locations designated by the City Engineer.
18. The applicant/owner/develop shall install a fire hydrant(s) to serve the proposed project in accordance with Section 903 of the Uniform Fire Code. The hydrants shall be located so that all existing and future structures are reachable by 250' hose lay length. The location of the hydrants shall be coordinated with the Lakeport Fire Protection District and shall be detailed on the street improvement plans.
19. The applicant/developer shall construct the pipe connecting to on-site fire hydrants to the City water main standards and shall provide easements for maintenance to the on-site water mains.
20. The subdivider shall dedicate or make an irrevocable offer of dedication of land for a transit bus turnout.
21. Due to potential drainage issues, prior to securing a building permit, a grading, sewer and water, and drainage master plan shall be submitted and approved by the City Engineer. As development of the site occurs, the phased master plan shall be implemented as approved by the City Engineer.

22. The landscaping plan shall be revised to include: one tree island for every eight parking spaces with at least six feet in all interior dimensions and containing at least one 15-gallon size tree; appropriate materials for the bioswales, and increased foliage along pedestrian circulation routes.
23. Applicant shall submit a Landscape Documentation Package as required by the Model Water Efficient Landscape Ordinance or Chapter 17.53 of the Lakeport Zoning Ordinance for Water Efficient Landscapes.
24. All plant materials or trees that are not healthy or that die shall be replaced with similar landscape materials.
25. The applicant shall be required to construct a six-foot block wall and place mature trees (minimum 24' box) along the southern border of Parcel G at 1 per 35 feet on center to create a buffer between the single-family residence south of the hotel site.
26. If south facing windows are proposed for the hotel, windows on the second and third floor shall be obscured glass so as to provide privacy to the adjacent single-family residence.
27. The final building plans shall include additional façade features that are either architecturally similar to the front elevation façade along the rear of the building to ensure 360 architecture and consistent design application or the applicant may provide additional material and/or architectural/landscaping detail such as trellises, colorful or metal awnings, or an expanded color palette particularly on Parcel B where the rear of the building faces Parallel Drive.
28. Lighting - All new exterior lighting serving the center and the related parking area shall be shielded, provided with property line cut-offs, and/or downlit so as to eliminate glare-related impacts to adjacent properties or the public right-of-way. Exterior light fixtures shall complement with the architectural style of the building. A photometric plan and details regarding the proposed lighting shall be provided to the City prior to the issuance of a building permit.
29. Drive-through lanes for restaurants, banks, pharmacies and other uses, where included, shall be laid out in such a way to provide safe, efficient vehicular and pedestrian circulation. Adequate vehicular stacking or queuing spaces shall be provided to avoid waiting vehicles from blocking drive aisles. Drive-through facilities should be designed so as to minimize the visual impact from the right-of-way and shall be screened to a height of at least three and one-half feet. Screening devices shall consist of walls and/or landscaped berms.
30. All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site. A five foot public utility easement shall be provided.

31. As designed, there are adequate parking spaces. If later phases are revised, the number of parking spaces shall be reevaluated to ensure compliance with § 17.23.050, as well as Objective CD 6 of the General Plan. Landscaping shall be provided throughout and one 15 gallon shade tree island for every eight parking spaces shall be provided as well as landscaped buffers at the terminus of parking areas.
32. Based on the Traffic Study, the project will participate in the cost of off-site improvements through payments to the City adopted traffic impact fee program. The program's contribution to a transportation improvement funding mechanisms or as a fair share contribution (Table ES-3 of the Traffic Study) towards a cumulative impacted facility should be considered sufficient to address the project's fair share towards mitigation measure(s) designed to alleviate cumulative project impacts. The fees shall be divided proportionally between Phase 1 and Phase 2 and be paid at the time of building permit issuance.
33. The developer shall coordinate with a cultural monitor from the Scotts Valley Band of Pomo Indians and/or Big Valley Band of Pomo Indians for any and all ground disturbance to be completed under the project. The project contractor shall consult with the Tribe at least three weeks prior to the start of any ground disturbing activities and shall also provide the Tribe with the anticipated construction schedule and plans.
34. The center will require several trash enclosures. The number of required collection sites shall be determined by the Lakeport Disposal Company at time of building permit submittal. Solid waste and recycling areas shall be consolidated to minimize the number of collection sites and located so as to reasonably equalize the distance from the building spaces they serve. All enclosures shall be constructed of reinforced concrete block and provided with solid metal, site-obscuring gates, in a style compatible with the architectural style of the buildings. The enclosures shall be maintained in good condition for the life of the project and shall be repaired as necessary.
35. The perimeter of the recycling and trash enclosure, except for areas used for access, shall be planted, if feasible, with drought resistant landscaping, including a combination of shrubs and/or climbing evergreen vines.
36. The applicant/owner/developer shall provide plans detailing the proposed locations of mechanical equipment. Roof-mounted mechanical equipment shall be provided with architectural screens which effectively screen the equipment and complement the building's architecture. Ground-mounted mechanical equipment, if provided, shall also be provided with visual screens. Said screens shall be detailed on the building construction plans.
37. The applicant/owner/developer shall submit a Serpentine Dust Mitigation Plan during the grading or excavation activities. Serpentine rock or soils shall not be exposed as a wearing surface subject to vehicular traffic and work in

serpentine materials is subject to regulation under Air Toxics Control Measures of the State of California and the Lake County Air Quality Management District.

38. All construction activities shall include adequate dust suppression including frequent watering, the use of palliatives or other methods during grading, earth work, and building periods. Site grading and building activities shall be avoided during windy periods and all surfaces subject to grading and/or heavy traffic and equipment usage, including public and private streets, should be periodically sprinkled with water. Areas of bare soil shall be stabilized to prevent the generation of wind-blown dust. Materials transported to and from the site shall be covered or thoroughly watered in order to minimize fugitive dust and any materials deposited on adjacent roadways shall be removed in a timely manner.
39. The applicant/owner/developer and/or on-site contractors shall, upon the discovery of any cultural or archeological resources on the subject site, cease all construction activity and immediately notify the Lakeport Community Development Department. The City, at that time, may hire a qualified archeologist to evaluate the finds and prepare a mitigation plan. If human remains are encountered, construction shall be halted, and the County Coroner shall be contacted. If the remains are determined to be Native American, the Coroner will contact the Native American Heritage Commission who will then identify the person or persons believed to be the most likely descendants from the deceased Native American. The most likely descendant then makes a recommendation regarding the treatment of the remains with appropriate dignity.
40. The applicant/owner/developer shall submit a final grading plan detailing the grading and earthwork necessary for the development of the site. Said plan shall be prepared and stamped by an engineer prior to issuance of a construction permit. The final grading plan shall be prepared in accordance with the recommendations set forth in the Geotechnical Evaluation along with any supplemental recommendations resulting from review of the final grading plan or future on-site observations. All applicable recommendations set forth in the geotechnical evaluation shall be incorporated into the final grading plan and the applicable construction plans as construction notes or in a similar manner.
41. The applicant/owner/developer shall retain a qualified geotechnical engineer to review the final grading and construction plans and related specifications and to complete the other recommended actions during the course of the grading and excavation activities.
42. The applicant/owner/developer shall submit an erosion control plan. Surface drainage facilities shall be designed so that storm water runoff minimizes gullyng and other erosion and water quality impacts. The applicant shall

employ erosion control Best Management Practices as set forth in the California Storm Water Best Management Practices Handbook.

43. All future business activities shall comply with the Performance Standards set forth in Section 17.28.010 of the City of Lakeport Municipal Code regarding the generation of noise; odors, smoke, fumes, dust or particulate matter; the disposal of liquid and/or solid waste; and fire/explosion hazards. The applicant/owner/developer shall take the appropriate steps to effectively reduce or eliminate these types of problems if the City receives legitimate complaints.
44. The applicant/owner/developer shall comply with the Lake County Clean Water Program Storm Water Management Plan and California Water Resources Control Board (NPDES Phase II requirements). All erosion control measures and related construction activities shall be completed in accordance with the project's Storm Water Pollution Prevention Plan (SWPPP).
45. The applicant/owner/developer shall pay the standard City storm water mitigation fee for the net increase in impervious surfaces related to construction activities prior to the issuance of a building permit.
46. All noise producing construction work shall comply with the noise standards set forth in Section 17.28.010 A. of the Lakeport Zoning Ordinance and the mitigation monitoring program.
47. The applicant/owner/developer shall pay the fire mitigation fee to the Lakeport County Fire Protection District prior to the issuance of building permits.
48. The applicant/owner/developer shall pay the required school impact fee to the Lakeport Unified School District prior to the issuance of a building permits.
49. Prior to the issuance of a building permit, the applicant/owner/developer shall submit a revised site plan prepared and signed by a licensed surveyor/engineer which identifies paths of travel from parking areas to structures, the locations of handicapped parking and accessible routes.
50. The parking area shall be designed and developed in accordance with Lakeport Municipal Code Chapter 17.23, including the provision of perimeter curbing and landscaping prior to the issuance of a certificate of occupancy. All on-site parking spaces shall comply with the City's standards in terms of width, depth, and unobstructed back-up area. The handicapped parking space shall be developed in accordance with the Americans with Disabilities Act in terms of size, demarcation, and signage.
51. All on-site parking lot striping, signage, traffic control markings, etc. shall be completed prior to the issuance of an occupancy permit and shall be maintained in good condition for the life of the project.

52. The applicant/owner/developer shall provide plans to the City showing location of all utilities that will serve the facilities prior to the issuance of a building permit, including electric and communication services, sewer and water utilities, and all other applicable utilities. All utilities shall be installed underground. If determined to be necessary by the City, sewer and water expansion fees shall be collected in conjunction with the issuance of a building permit.
53. The applicant/owner/developer shall coordinate the provision of electric service with Pacific Gas & Electric including the submittal of electrical load calculations and the payment of all required fees prior to the issuance of a building permit.
54. The applicant/owner/developer shall maintain the exterior of the buildings and all related site improvements in good condition for the life of the project. Damaged or dilapidated portions of the building or related improvements shall be repaired or replaced as necessary.

NOW, THEREFORE, IT IS AGREED:

1. That the applicant/owner/developer 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.

Dated: _____

APPLICANT/OWNER/DEVELOPER

Rahul Bhatt
New Vista Developers, LLC

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the City of Lakeport's Lakeport Hub / 1842 Todd Road Project (proposed Project). The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements as well as conditions recommended by responsible agencies who commented on the project.

The first column of the Table identifies the mitigation measure. The second column, entitled "Party Responsible for Implementing Mitigation," names the party responsible for carrying out the required action. The third column, "Implementation Timing," identifies the time the mitigation measure should be initiated. The fourth column, "Party Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last column will be used by the City to ensure that individual mitigation measures have been monitored.

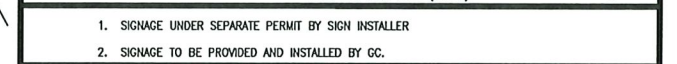
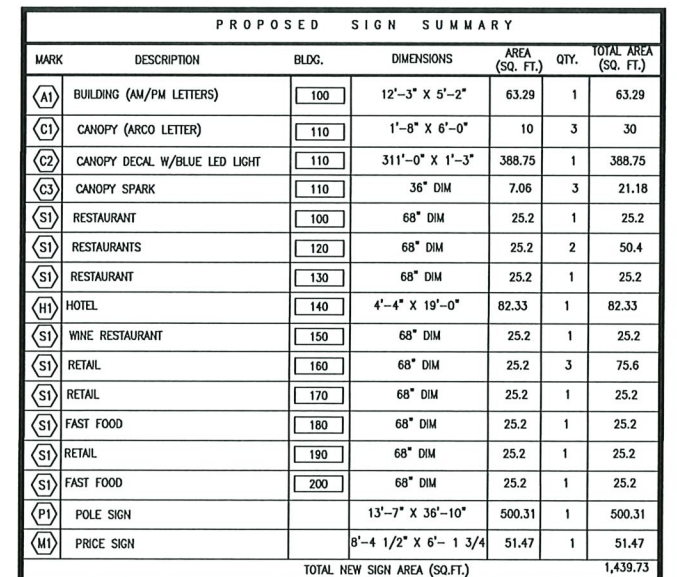
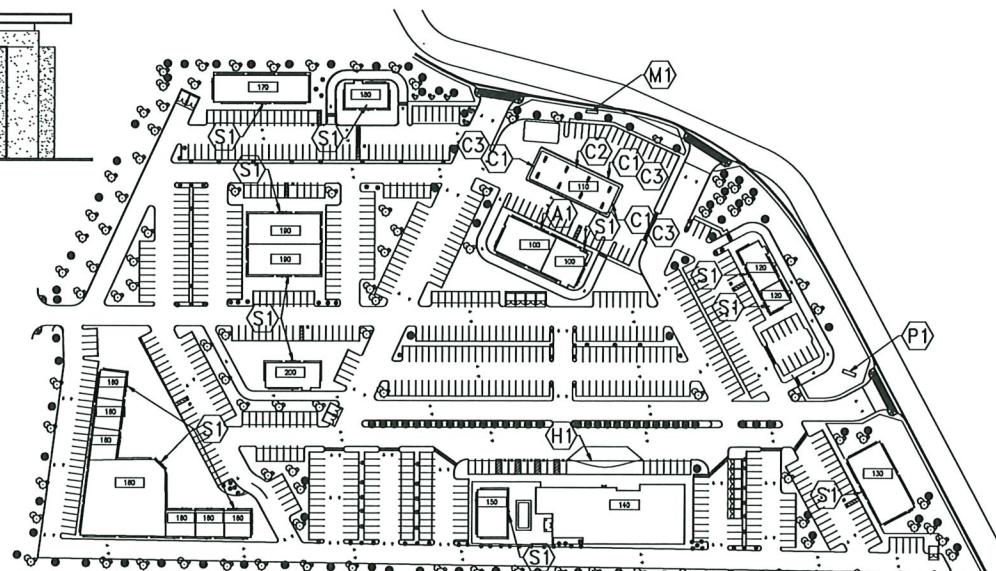
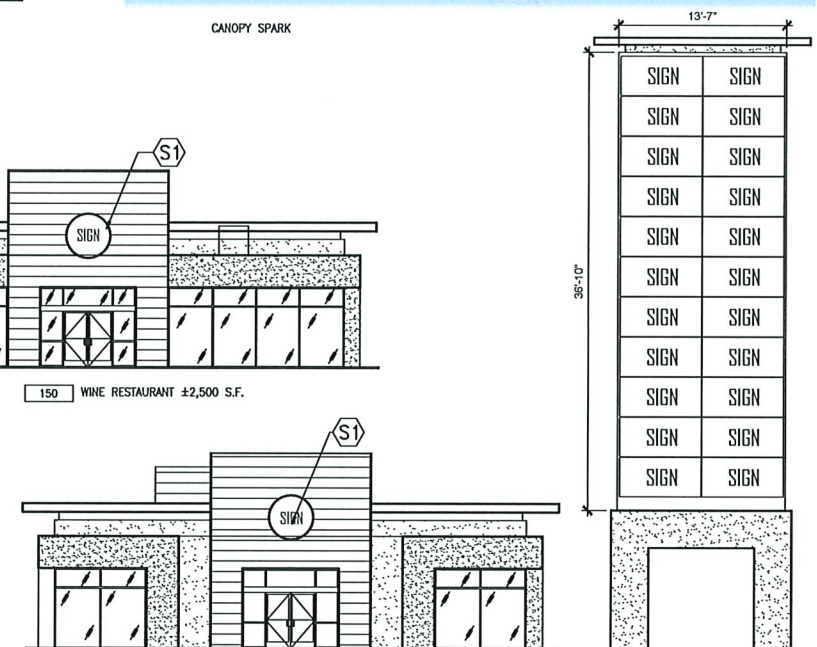
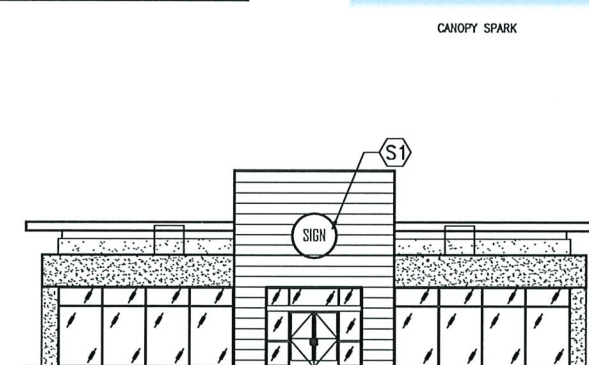
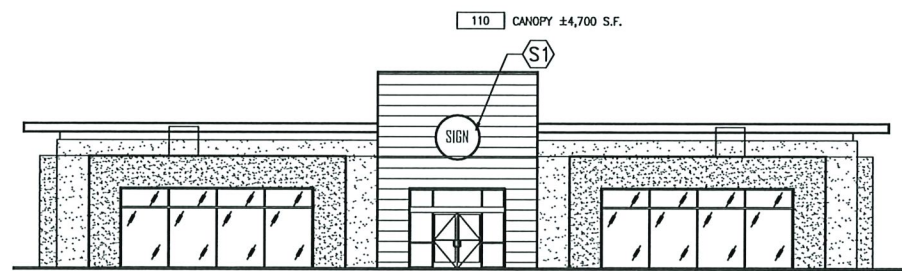
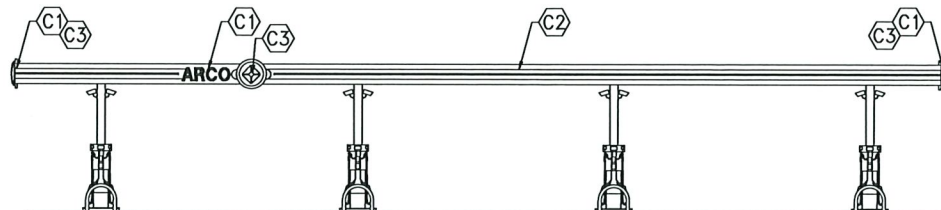
Mitigation Measure	Party responsible for implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (Name / Date)
AIR-1 During construction activities, the following Best Management Practices (BMPs) shall be implemented to control dust: <ul style="list-style-type: none"> Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour. All roadways, driveways, and sidewalks shall be paved as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. Idling time shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR). Clear signage shall be provided for construction workers at all access points. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 	Construction Contractor	During construction activities	Project Applicant	

				<ul style="list-style-type: none"> A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours of a complaint or issue notification.
	Project Applicant	Prior to construction activities	Project Applicant	<p>AIR-2</p> <p>Before a construction permit is issued for the proposed project, the project applicant, project sponsor, or construction contractor shall submit construction emissions minimization plans to the City of Lakewood for review and approval. The construction emissions minimization plans shall provide reasonably detailed compliance with the following requirements:</p> <p>(1) Where portable diesel engines are used during construction, all off-road equipment shall have engines that meet either EPA or CARB Tier 4 Final off-road emission standards except as otherwise specified herein. If engines that comply with Tier 4 Final off-road emission standards are not commercially available, then the construction contractor shall use the next cleanest piece of off-road equipment (e.g., Tier 4 interim) that is commercially available. For purposes of this project design feature, "commercially available" shall mean the equipment at issue is available taking into consideration factors such as (i) critical-path timing of construction; and (ii) geographic proximity to the project site of equipment. If the relevant equipment is determined by the project applicant to not be commercially available, the contractor can confirm this conclusion by providing letters from at least two rental companies for each piece of off-road equipment that is at issue.</p>
	Project Applicant	Prior to & during construction activities	Project Applicant	<p>BIO-1</p> <p>Due to the presence of known sensitive bird species within the Site's area, any proposed heavy vegetation (limbs over 6 inches in diameter) shall be conducted in the non-nesting season (August 31-February 1). However, should removal of heavy vegetation be proposed during the nesting season (February 1-August 31), a qualified biologist shall determine the presence of vulnerable nests (within a distance of 100 feet for passerines and 300 feet for raptors from the heavy vegetation removal). Any active nests within the above-mentioned distances shall be allowed to complete their</p>

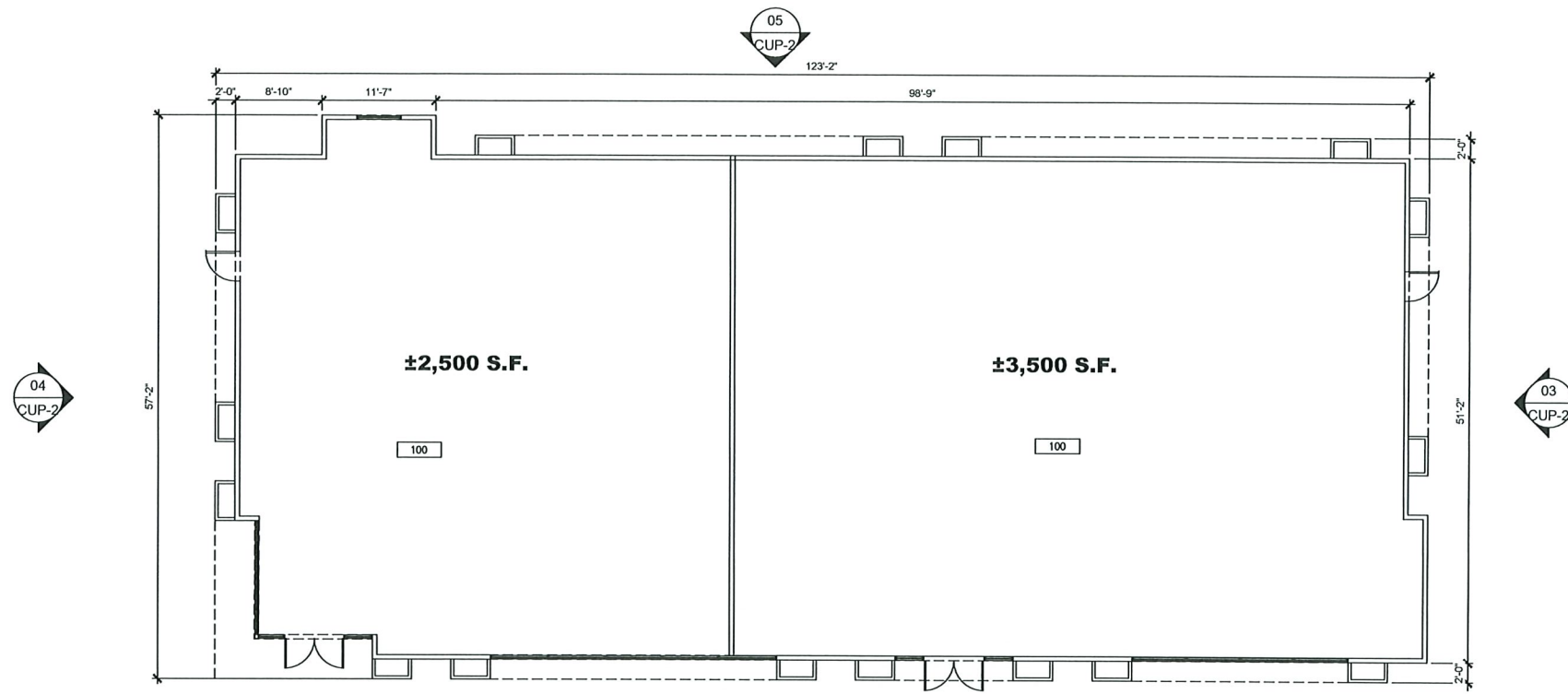
nesting or until the qualified biologist determines the nests are no longer active before the heavy vegetation shall be allowed to occur.				
BIO-2 Prior to the issuance of the grading permit, the applicant shall provide a signed agreement for a wetland habitat mitigation bank reflecting the loss of the 0.33-acre wetland swale. Said agreement shall be approved by the Army Corp of Engineers. The mitigation bank shall be in place prior to the issuance of the grading permit.	Project Applicant	Prior to & during construction activities	Project Applicant	
CULT-1 If previously unidentified cultural resources are encountered during project implementation, any persons on-site shall avoid altering the materials and their stratigraphic context. A qualified professional archaeologist shall be contacted to evaluate the situation. Project personnel shall not collect cultural resources. [Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.]	Project Applicant	Prior to & during construction activities	Project Applicant	
CULT-2 If human remains are encountered on-site, all work must stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission (NAHC) must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains is provided.	Project Applicant	Prior to & during construction activities	Project Applicant	
CULT-3 A cultural monitor from the Scotts Valley and/or Big Valley Band of Pomo Indians shall be present on-site for any and all ground disturbance to be completed under the project. The project contractor shall consult with the Tribe at least three weeks prior to the start of any ground disturbing activities and shall also provide the Tribe with the anticipated construction schedule and plans.	Project Applicant	Prior to and during construction	Project Applicant	

<p>CEQ-1</p> <p>In the event that fossils or fossil-bearing deposits are discovered during project construction, the contractor shall notify a qualified paleontologist to examine the discovery and excavations within 50 feet of the find shall be temporarily halted or diverted. The area of discovery shall be protected to ensure that fossils are not removed, handled, altered, or damaged until the Site is properly evaluated, and further action is determined. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City of Lakeport for review and approval prior to implementation.</p>	Project Applicant	During Construction	Project Applicant	
<p>NOISE-1</p> <p>Construction noise shall be limited through operational standards. Construction activities shall be limited to between the hours of 7:00AM and 7:00PM Monday through Friday and between 8:00AM and 7:00PM on Saturdays and Sundays. The City may allow construction between 7:00PM and 7:00AM on any day if it can be demonstrated that noise would not adversely impact the neighborhood, or in the event of necessity as determined by the Building Official. Neighboring landowners shall be notified of the anticipated construction schedule prior to the commencement of construction activities.</p>	Project Applicant	During Construction	Project Applicant	
<p>NOISE-2</p> <p>All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists. At all times during project construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences. Unnecessary idling of internal combustion engines shall be prohibited. Construction staging areas shall be established at</p>	Project Applicant	During Construction	Project Applicant	

locations that would create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project Site during all project construction activities, to the extent feasible. The construction contractor shall designate a "noise disturbance coordinator" who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.				
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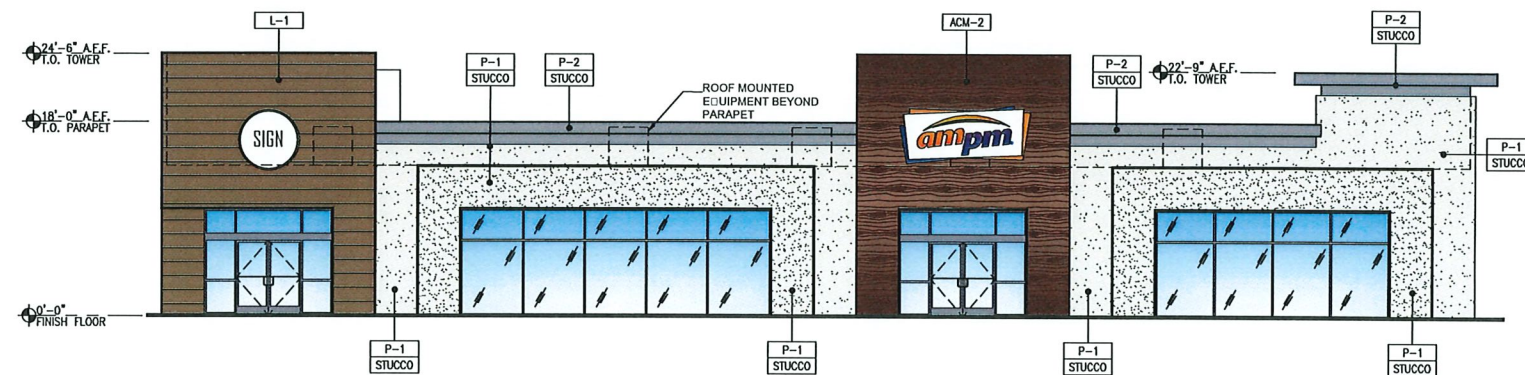
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BUILDING

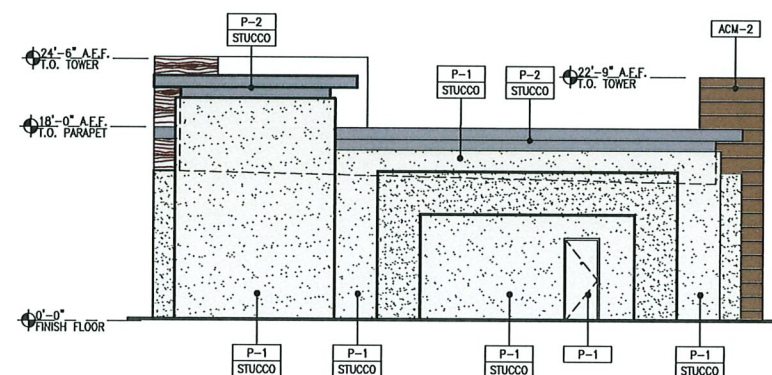
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A. C-STORE ±3,500 S.F.
B. RESTAURANT ±2,500 S.F.

COLOR LEGEND AND MATERIAL

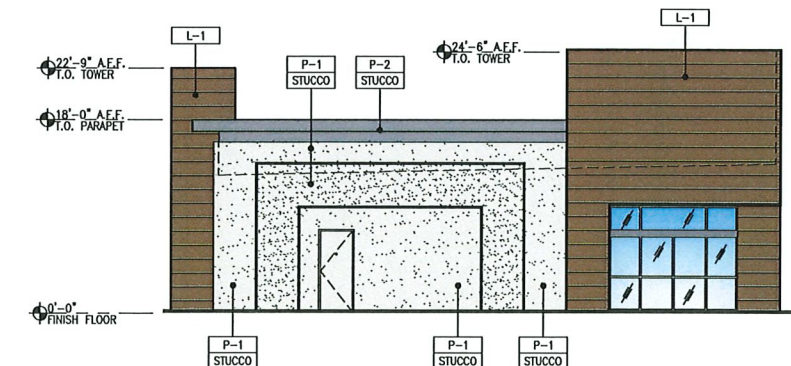
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P-1 BENJAMIN MOORE, OC-69, "WHITE OPULENCE"
P-2 BENJAMIN MOORE, 2121-30, "PEWTER", HIGH GLOSS
L-1 VINYL SIDING BY CERTAINTED COLOR MOUNTAIN CEDAR
STUCCO 3/4" CEMENT PLASTER, INSTALLED PER MFG. SPECIFICATIONS;
TEXTURE: FINE SAND FINISH



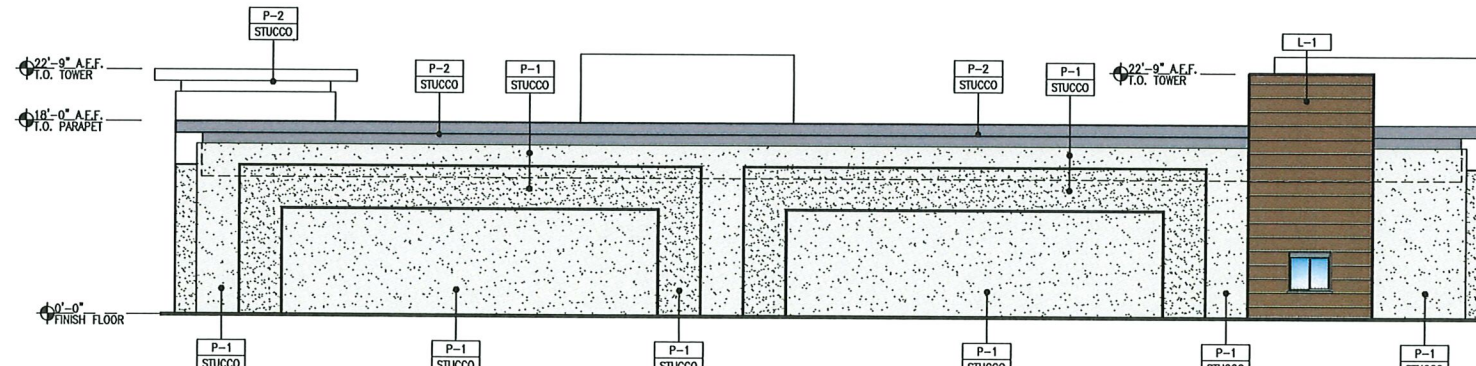
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03 RIGHT ELEVATION
SCALE: 1/8"=1'-0"



04 LEFT ELEVATION
SCALE: 1/8"=1'-0"



05 REAR ELEVATION
SCALE: 1/8"=1'-0"

AGC DESIGN CONCEPT, INC.

28524 Constellation Rd
Valencia, CA 91355
Phone: 661.285.1111

BY	
REVISIONS	
NO.	DATE

LAKEPORT SHOPPING CENTER

1842 TODD RD.
LAKEPORT, CA

C-STORE & REST. COLOR ELEVATIONS

consultant job#

master release date

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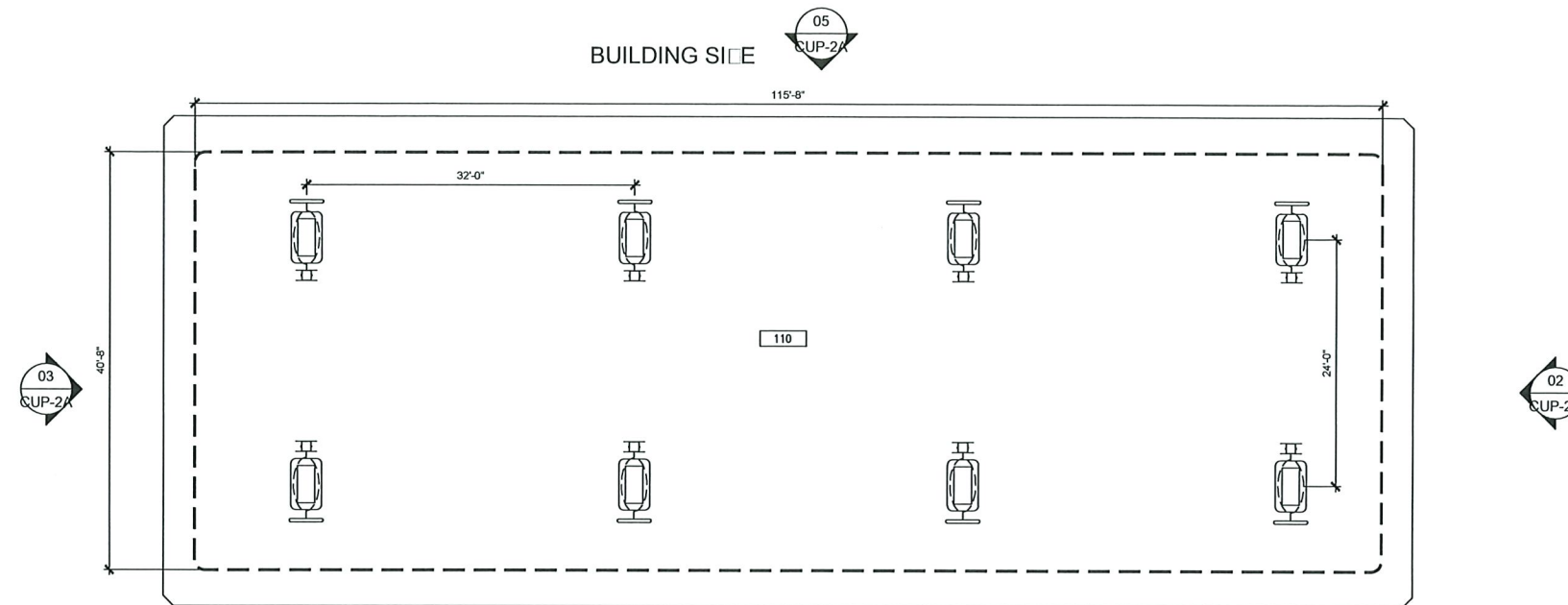
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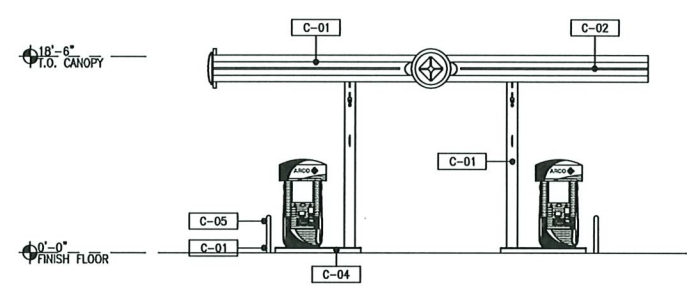
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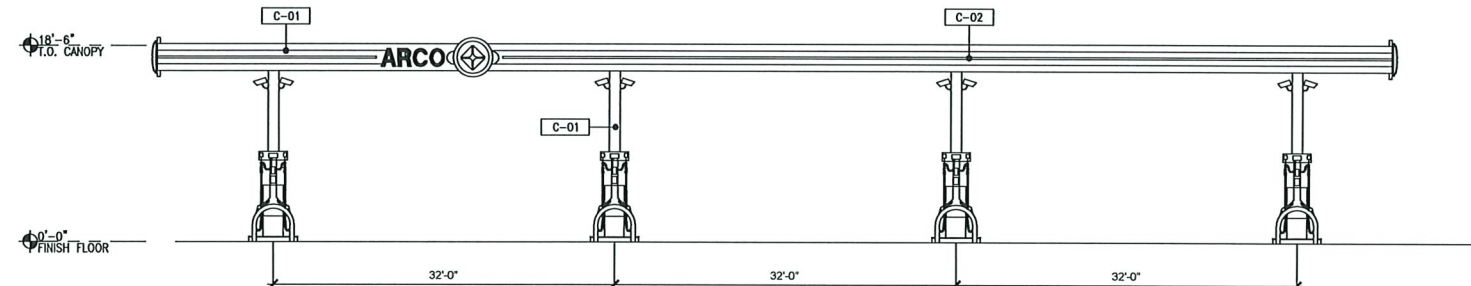
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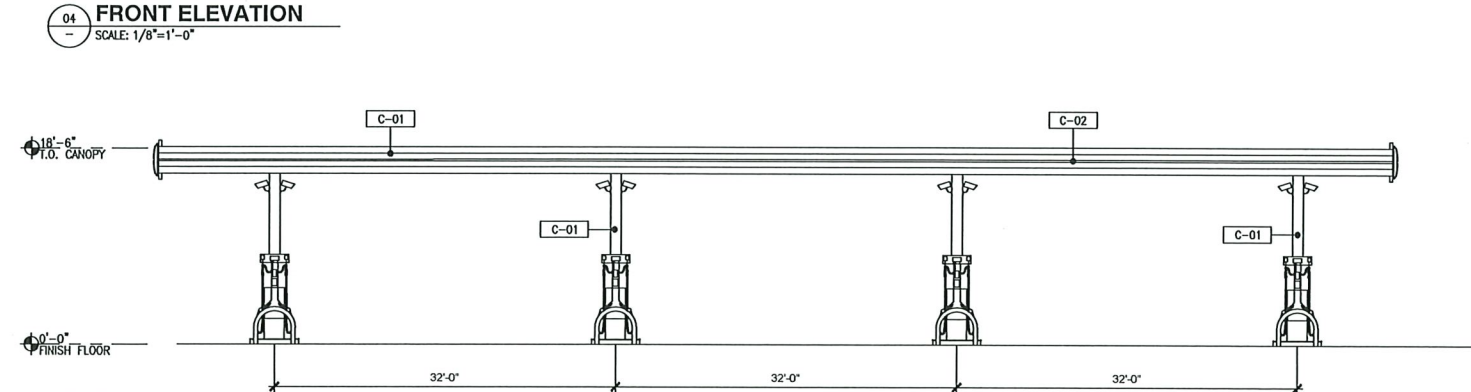
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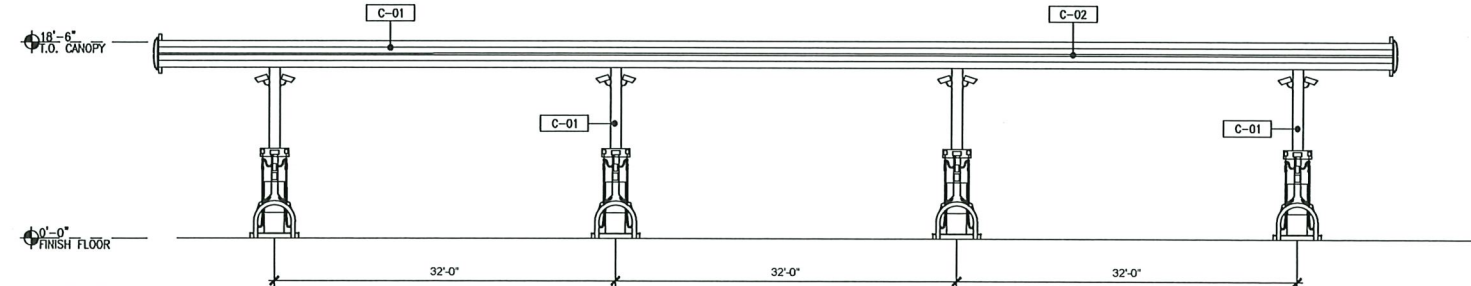
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03 SIDE ELEVATION
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04 FRONT ELEVATION
SCALE: 1/8"=1'-0"



05 REAR ELEVATION
SCALE: 1/8"=1'-0"

BUILDING

110 CANOPY ±4,700 S.F.

EXTERIOR PAINTS

- C-01 COLOR: BP PEARL - RAL 1013
ICI #A0083 "INDIAN LEGEND"
- C-02 COLOR: BLUE
PMS 288c
- C-04 COLOR: WARM GREY
ICI #A1860 "Grey Mountain"
- C-05 COLOR: BR YELLOW
ICI 3 A0775 "Omega Yellow"

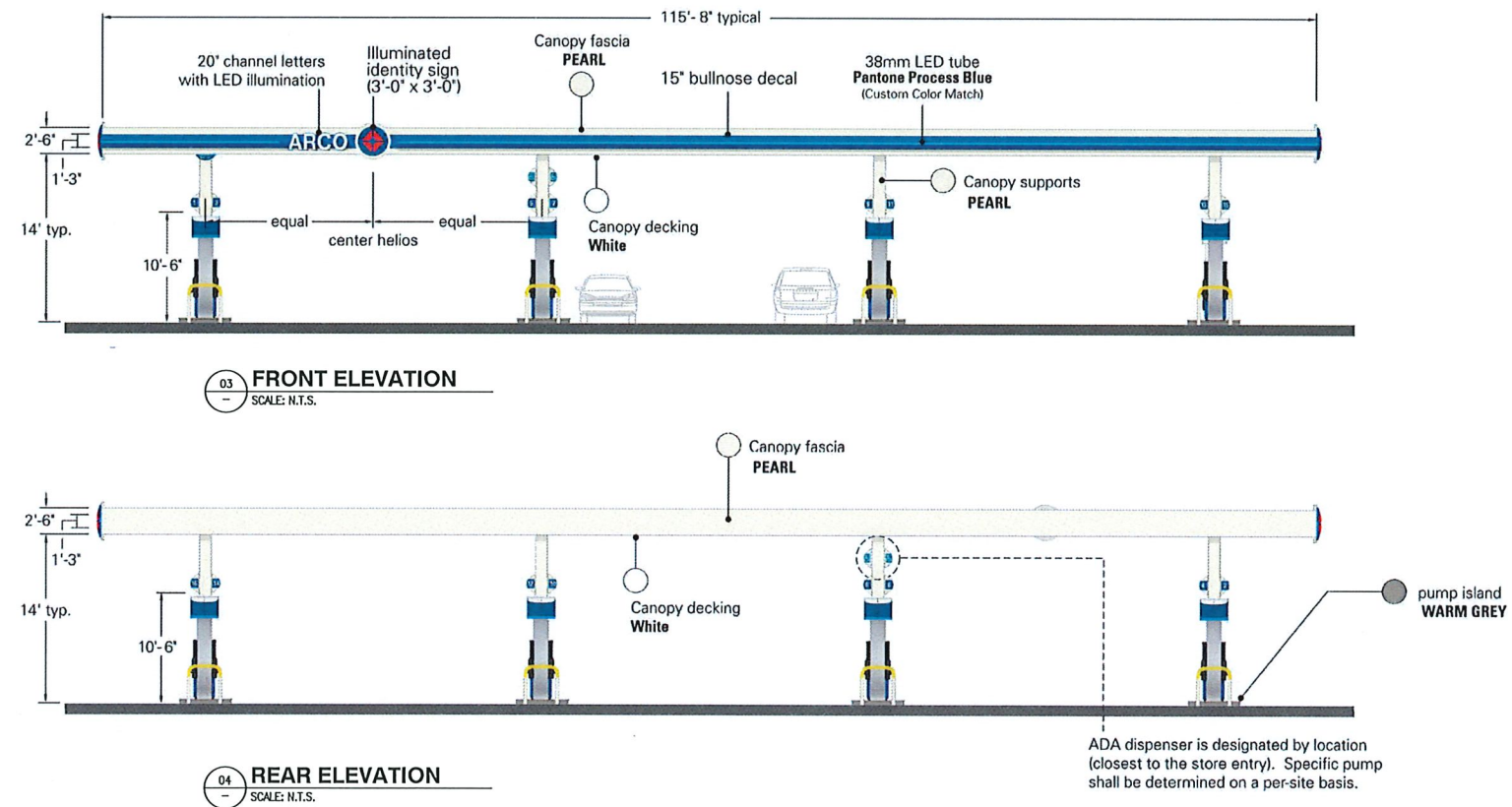
AGC DESIGN CONCEPT, INC.

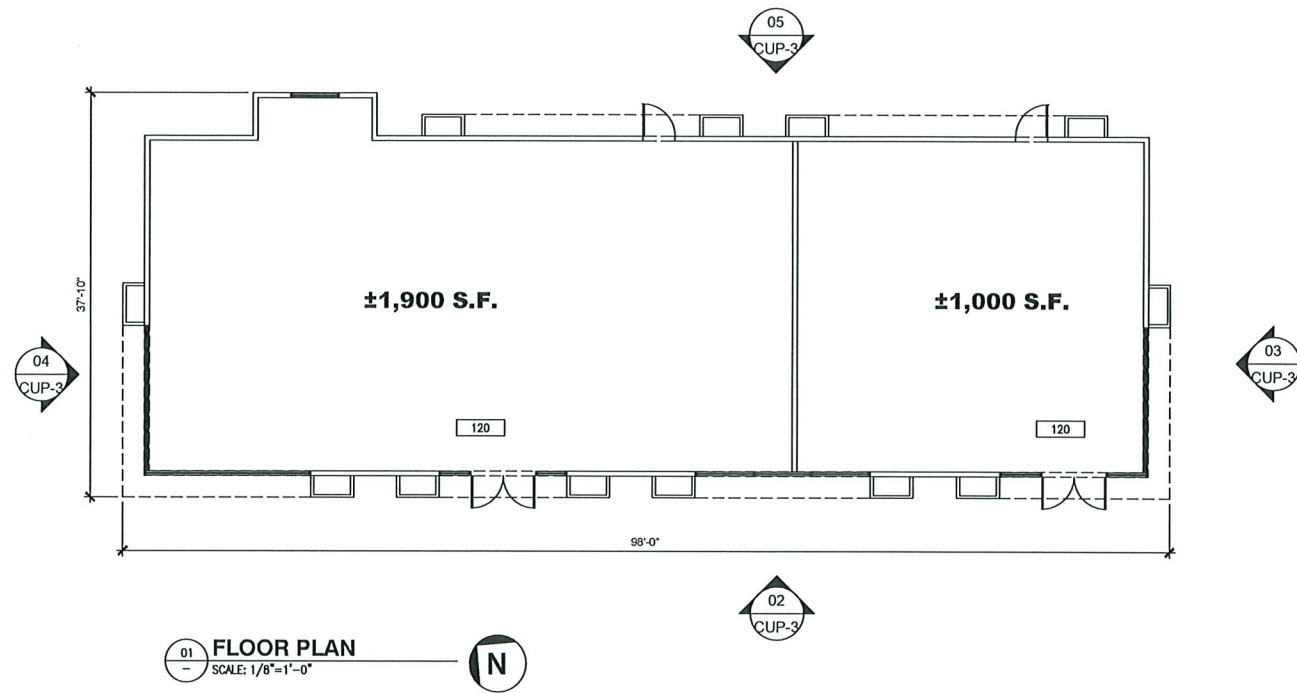
28524 Constellation Rd
Valencia, CA 91355
Phone: 661.295.1111

NO.	DATE	REVISIONS	BY

LAKEPORT SHOPPING CENTER
1842 TODD RD.
LAKEPORT, CA
CANOPY ELEVATIONS

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Facility/Project	
sheet name	CUP-2A



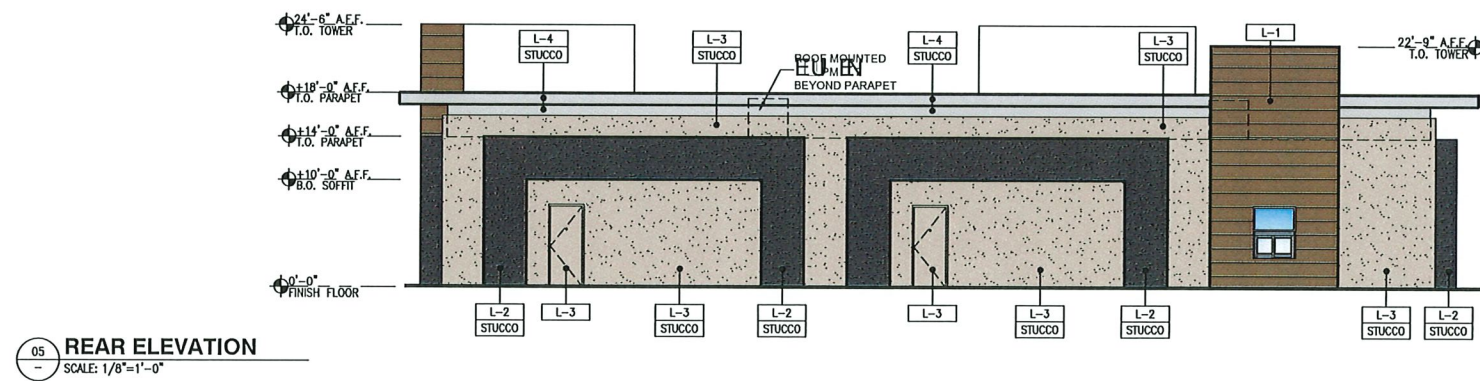
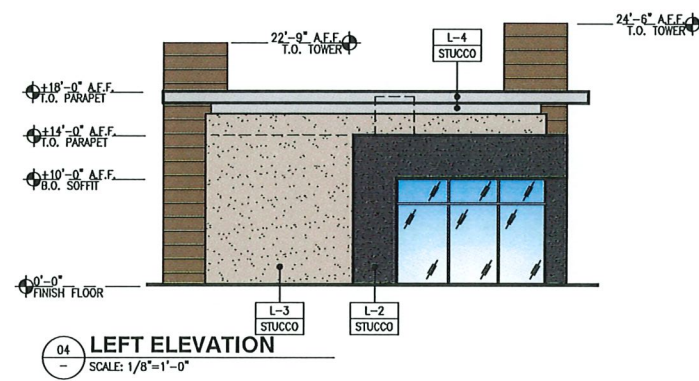
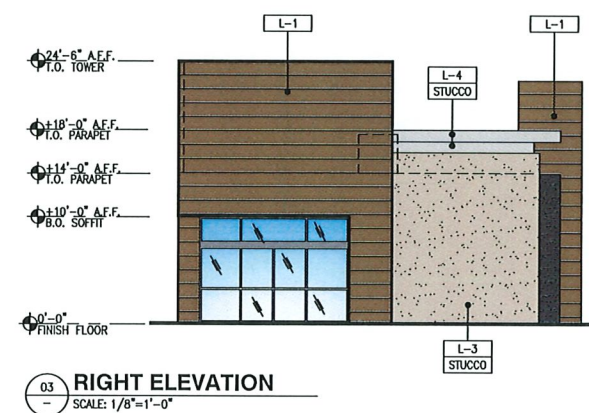
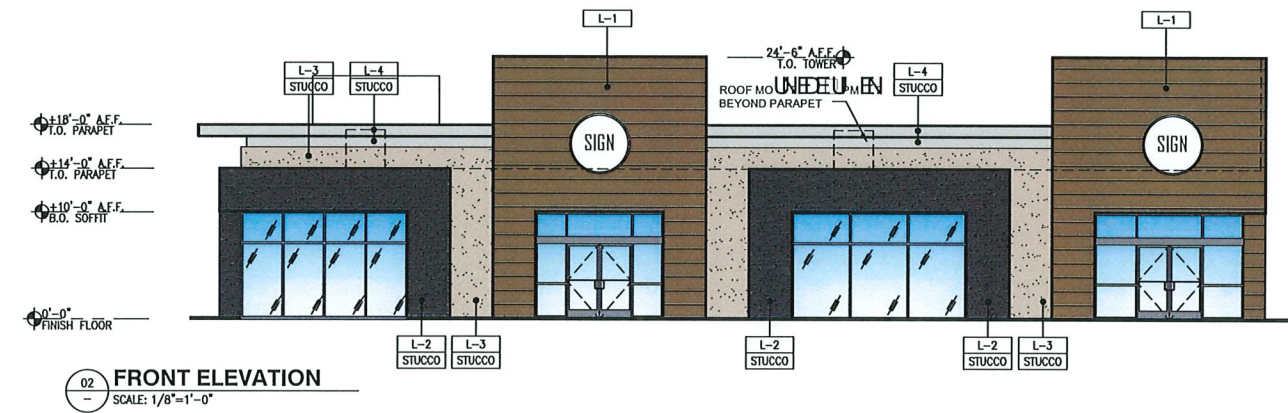


BUILDING

- 120 RESTAURANTS ±2,900 S.F.
A. ±1,900 S.F.
B. ±1,000 S.F.

COLOR LEGEND AND MATERIAL

- L-1 VINYL SIDING BY CERTAINTED COLOR MOUNTAIN CEDAR
L-2 BLACK LEAD DE6322
L-3 PRACTICAL TAN DE6115
L-4 WINTER MORN DET617
STUCCO 3/4" CEMENT PLASTER, INSTALLED PER MFG. SPECIFICATIONS;
TEXTURE: FINE SAND FINISH

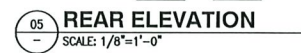


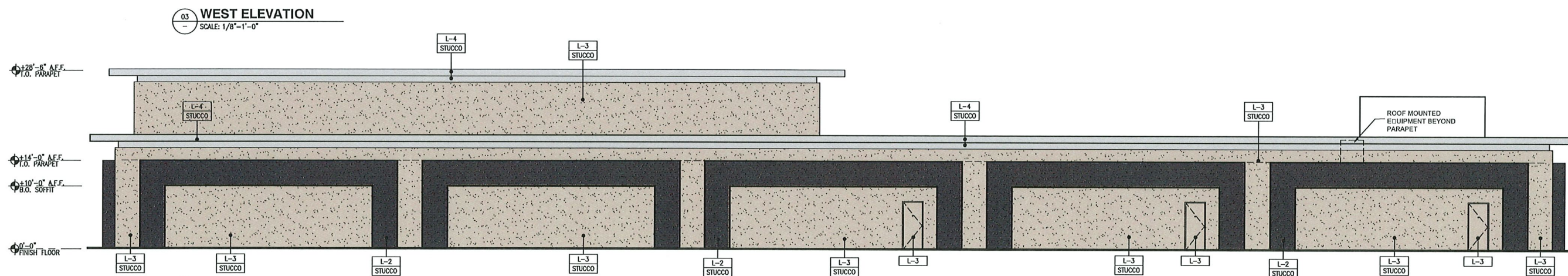
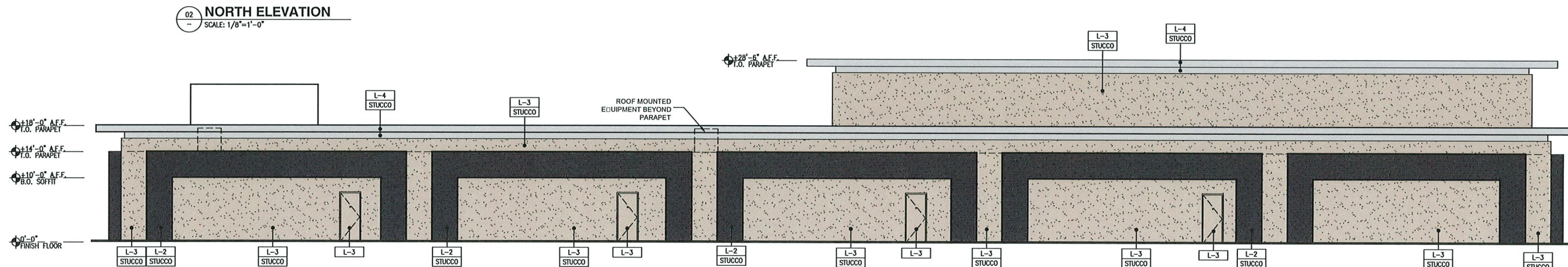
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LAKEPORT SHOPPING CENTER
1842 TODD RD.
LAKEPORT, CA
RESTAURANT COLOR ELEVATIONS

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Facility/Project	
sheet name	CUP-3

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facility/Project	
sheet name	
CUP-5A	





COLOR LEGEND AND MATERIAL

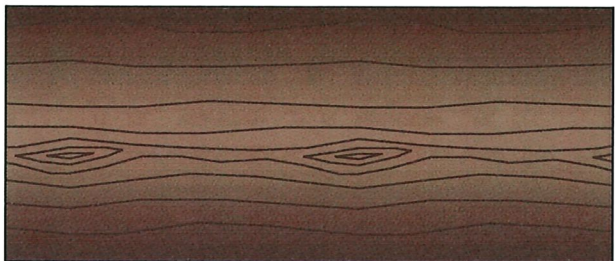
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L-2	BLACK LEAD DE6322	STUCCO	3/8" CEMENT PLASTER, INSTALLED PER MFG. SPECIFICATIONS; TEXTURE: FINE SAND FINISH
L-3	PRACTICAL TAN DE6115		

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project release date	master drawn by
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facility/Project	
sheet name	
CUP-10	

MATERIAL LEGEND



L-1 VINYL SIDING BY CERTAINTEED COLOR
MOUNTAIN CEDAR

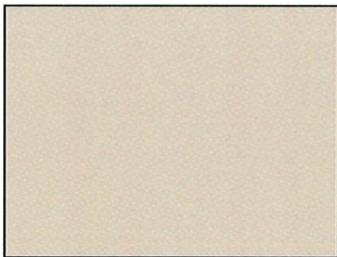


ACM-2 ALUMINUM COMPOSITE MATERIAL,
ALUCOBOND, "RUSTIC WALNUT"

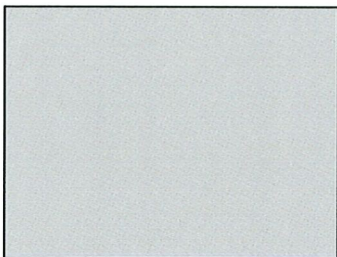
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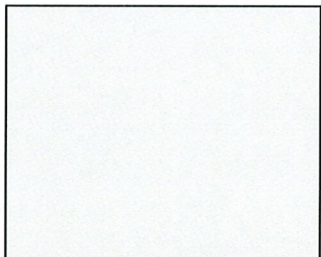
L-2 BLACK LEAD DE6322



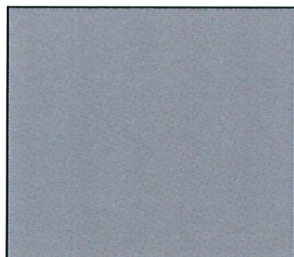
L-3 PRACTICAL TAN DE6115



L-4 WINTER MORN DET617



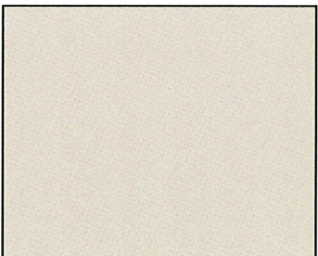
P-1 BENJAMIN MOORE, OC-69,
"WHITE OPULENCE"



P-2 BENJAMIN MOORE, 2121-30,
"PEWTER", HIGH GLOSS



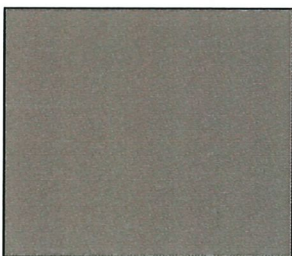
B-1 ARCO RED



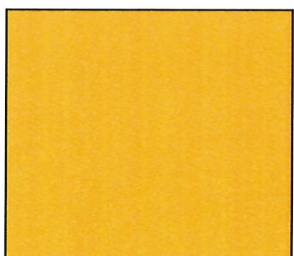
C-01 COLOR: BP PEARL - RAL 1013
ICI #A0083 "INDIAN LEGEND"



C-02 COLOR: BLUE PMS 288c"



C-04 COLOR: WARM GREY
IC #A1860 "Grey Mountain"



C-05 COLOR: BR YELLOW
ICI 3 A0775 "Omega Yellow"

TENATIVE SUBDIVISION MAP FOR:
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LAKEPORT, CALIFORNIA

COVER

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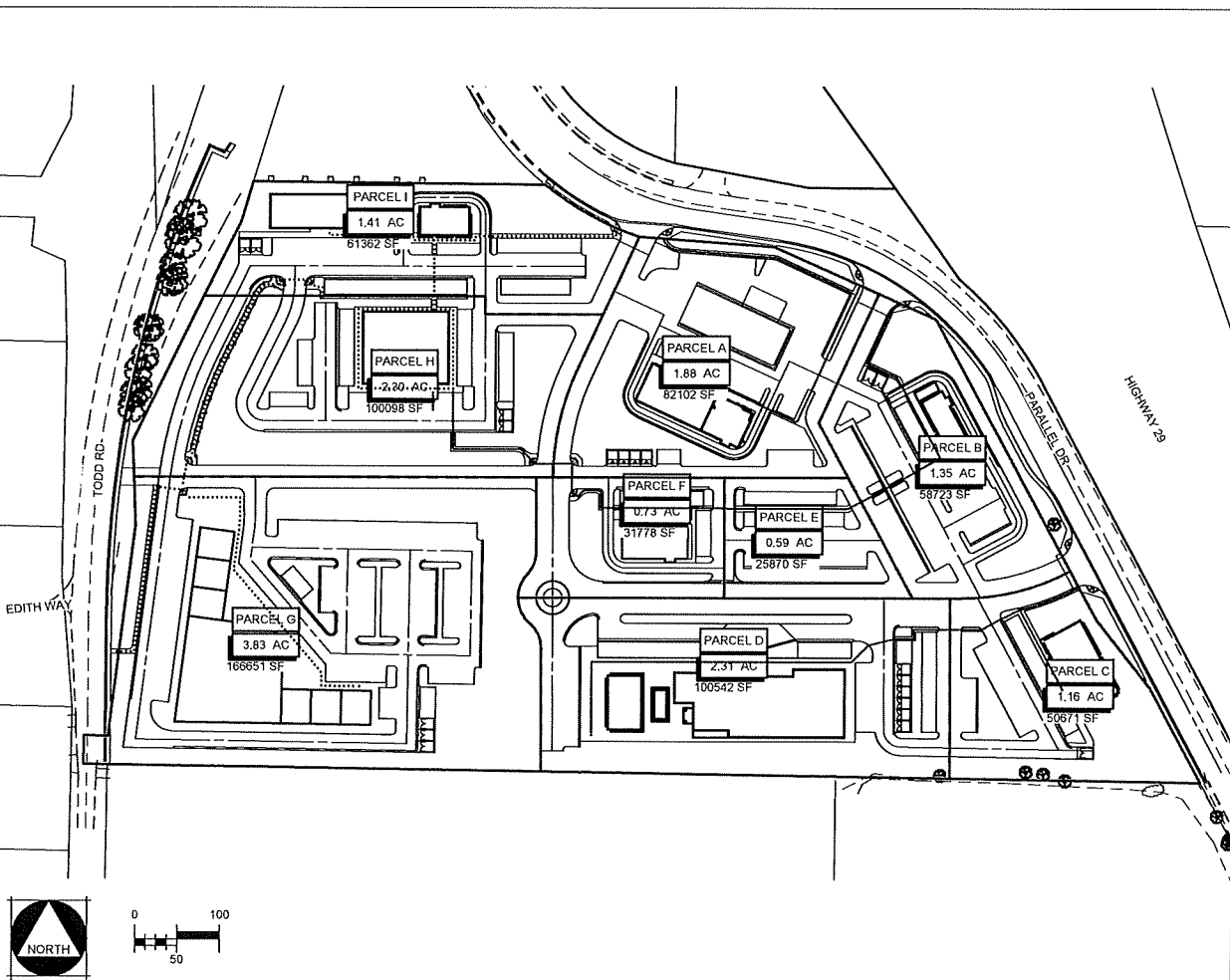
C1.0

OF C6.0 SHEET

LEGEND

ITEM	EXISTING	PROPOSED
WATER VALVE	---	---
WATER HOSE BIB	---	---
AIR RELEASE VALVE	---	---
BLOWOFF	---	---
FIRE HYDRANT	---	---
WATER METER	---	---
IRRIGATION BOX	---	---
SEWER MANHOLE	---	---
STORM MANHOLE	---	---
DRAIN INLET	---	---
CURB INLET	---	---
CLEANOUT	---	---
SEWER MANHOLE NUMBER	---	---
STORM MANHOLE NUMBER	---	---
WATER LINE	---	---
SANITARY SEWER	---	---
STORM DRAIN	---	---
TYPICAL ELECTROLIER	---	---
TYPICAL LUMINAIRE	---	---
ELECTRICAL VAULT	---	---
SURVEY MONUMENT	---	---
UTILITY POLE	---	---
SIGNAGE	---	---
ELEVATION	40.50TC 40.00P	40.50TC 40.00P
DIRECTION OF FLOW	2.00 %	2.00 %
ORIGINAL GROUND	---	N/A
CONTOUR (0.5' INTERVAL)	---	N/A
BARBED WIRE FENCE	---	---
WOOD FENCE	---	---
RETAINING WALL	---	---
MASONRY WALL	---	---
CURB, GUTTER & SIDEWALK	---	---
TYPICAL RETURN WITH HANDICAP RAMP	---	---
PAVEMENT	---	---

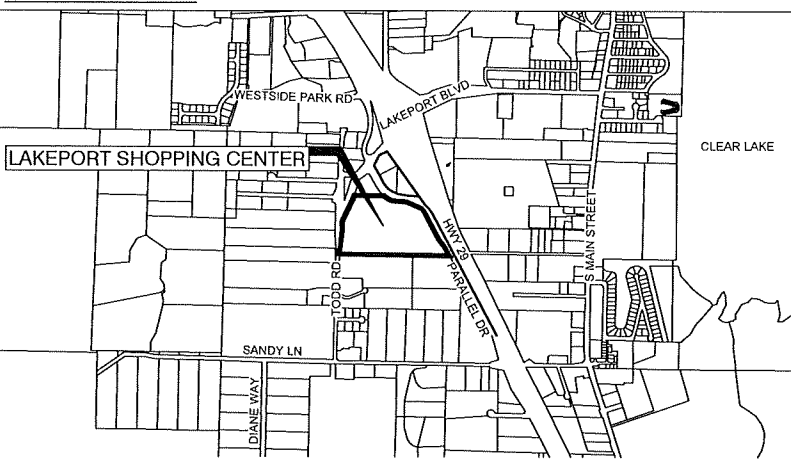
SITE PLAN



ABBREVIATION LIST

AB	AT	FG	FUTURE/PROPOSED GRADE	RGRCP	RUBBER GASKET REINFORCED
AC	AGGREGATE BASE	FH	FIRE HYDRANT	RET	CONCRETE PIPE
ADA	ASPHALT CONCRETE	FL	FLOW LINE	RETURN	RETURN
BC	AMERICAN DISABILITIES ACT	G	GROUND	R	RADIUS
BD	BEGINNING OF CURVE	GB	GRADE BREAK	SD	STORM DRAIN
BSL	BOUNDARY	GW	GREASE WASTE	SHT	SHEET
BVC	BUILDING SET BACKLINE	HGL	HYDRAULIC GRADE LINE	SNS	STREET NAME SIGN
C & G	BEGIN VERTICAL CURVE	HP	HIGH POINT	STA	STATION
CIP	CURB AND GUTTER	HPS	HIGH PRESSURE SODIUM	STD	STANDARD
CI	CAST IN PLACE PIPE	INV	INVERT	SW	SIDEWALK
CL	CURB INLET	IRR	IRRIGATION	SS	SANITARY SEWER
COL	CENTER LINE	LF	LINEAL FEET OR LINEAR FEET	S	SLOPE
CO	CLEAN OUT	LP	LOW POINT	TB	THRUST BLOCK
CONC	CONCRETE	MAX	MAXIMUM	TC	TOP OF CURB
COL	CITY OF LAKEPORT	MH	MAINTENANCE HOLE	TEMP	TEMPORARY
CR	CURB RETURN	MIN	MINIMUM	THRU	THROUGH
DIA	DIAMETER	NTS	NOT TO SCALE	TI	TRAFFIC INDEX
DIP	DUCTILE IRON PIPE	OG	ORIGINAL GROUND / GRADE	TPE	TREE PLANTING EASEMENT
DW	DRIVEWAY	P	PROPOSED	TR	TRANSITION
D OR SD	DRAIN OR STORM DRAIN	(P)	PAVEMENT	TYP	TYPICAL
EC	END OF CURVE	P.A.E.	PRIVATE ACCESS EASEMENT	V	6" VERTICAL CURB
EG	EXISTING GROUND	PP	POWER POLE	VS	WATER SERVICE
ELEV	ELEVATION	PL	POINT OF REVERSE CURVATURE	W	WATER
EP	EDGE OF PAVEMENT	PRC	POINT	U.N.O.	PLUS OR MINUS (NOT EXACT)
ESMT	EASEMENT	PT	PUBLIC UTILITY EASEMENT		UNLESS NOTED OTHERWISE
EVA	EMERGENCY VEHICLE ACCESS	PUE	POLYVINYL CHLORIDE PIPE		
EVC	END OF VERTICAL CURVE	RCP	REINFORCED CONCRETE PIPE		
(E), EX, EXIST	EXISTING				

VICINITY MAP



SHEET INDEX

#	SHEET TITLE
C1.0	COVER
C2.0	TOPOGRAPHIC SURVEY
C3.0	DIMENSION & PAVING PLAN
C4.0	GEOMETRIC PLAN
C5.0	GRADING PLAN
C6.0	UTILITY PLAN

LEGAL DESCRIPTION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PROPERTY AS DESCRIBED IN THE GRANT DEED PER INSTRUMENT NUMBER 2005-037033, L.C.R.

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LAKE, CITY OF LAKEPORT, AND DESCRIBED AS FOLLOWS:

BEING AT A POST 28.49 CHAINS NORTH OF THE QUATER SECTION CORNER BETWEEN SECTIONS TWENTY FIVE (25) AND THIRTY-SIX (36), TOWNSHIP FOURTEEN (14) NORTH, RANGE TEN (10) WEST, M.D.M. AND RUNNING THENCE WEST 20.00 CHAINS; THEN SOUTH 10.40 CHAINS; THENCE EAST 22.00 CHAINS; THENCE NORTH 91 LINKS; THENCE WEST 2.00 CHAINS; AND THENCE NORTH 9.50 CHAINS TO THE PLACE OF BEGINNING, CONTAINING 21.00 ACRES MORE OR LESS.

EXCEPTING THEREFROM 4.95 ACRES, MORE OR LESS, CONVEYED TO THE STATE OF CALIFORNIA AND DESCRIBED IN A DEED RECORDED MARCH 31, 1967, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF LAKE, STATE OF CALIFORNIA, IN BOOK 519 OF THE OFFICIAL RECORDS OF SAID COUNTY, AT PAGE 229.

ALSO EXCEPTING THEREFROM 0.47 ACRES, MORE OR LESS, ALSO CONVEYED TO THE STATE OF CALIFORNIA AND DESCRIBED IN A DEED RECORDED NOVEMBER 28, 1967, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF LAKE, STATE OF CALIFORNIA, IN BOOK 541 OF THE OFFICIAL RECORDS OF SAID COUNTY, AT PAGE 227.

APN: 005-045-150-000



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TOPOGRAPHIC SURVEY

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LAKEPORT SHOPPING CENTER



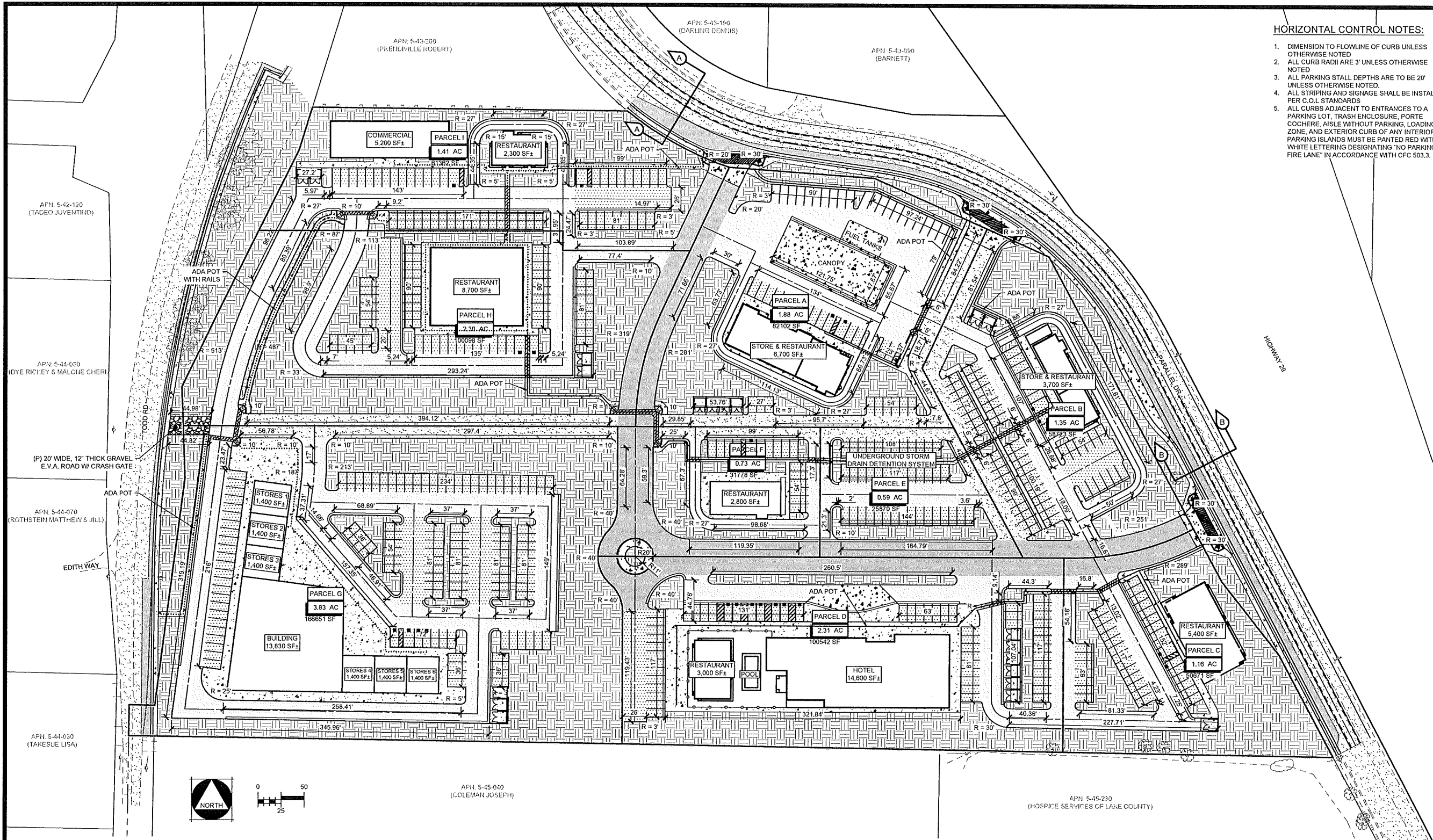
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SHEET NO.

C2.0

OF C6.0 SHEET



- HORIZONTAL CONTROL NOTES:**
1. DIMENSION TO FLOWLINE OF CURB UNLESS OTHERWISE NOTED
 2. ALL CURB RADII ARE 3' UNLESS OTHERWISE NOTED
 3. ALL PARKING STALL DEPTHS ARE TO BE 20' UNLESS OTHERWISE NOTED
 4. ALL STRIPING AND SIGNAGE SHALL BE INSTALLED PER C.O.L. STANDARDS
 5. ALL CURBS ADJACENT TO ENTRANCES TO A PARKING LOT, TRASH ENCLOSURE, PORTE COCHERE, AISLE WITHOUT PARKING, LOADING ZONE, AND EXTERIOR CURB OF ANY INTERIOR PARKING ISLANDS MUST BE PAINTED RED WITH WHITE LETTERING DESIGNATING "NO PARKING FIRE LANE" IN ACCORDANCE WITH CFC 503.3.

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DIMENSION & PAVING PLAN

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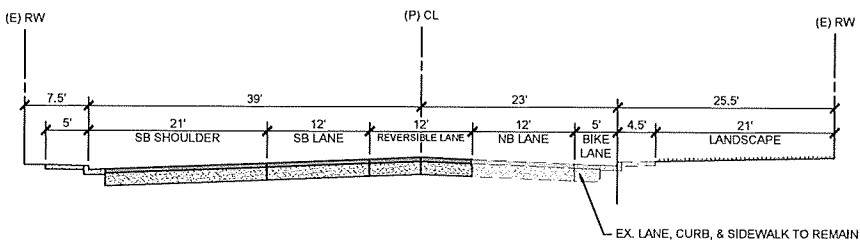
SHEET NO.

C3.0

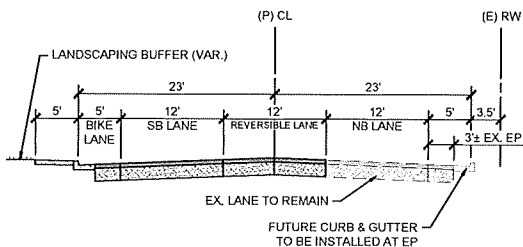
OF C6.0 SHEET

PAVEMENT SECTIONS:

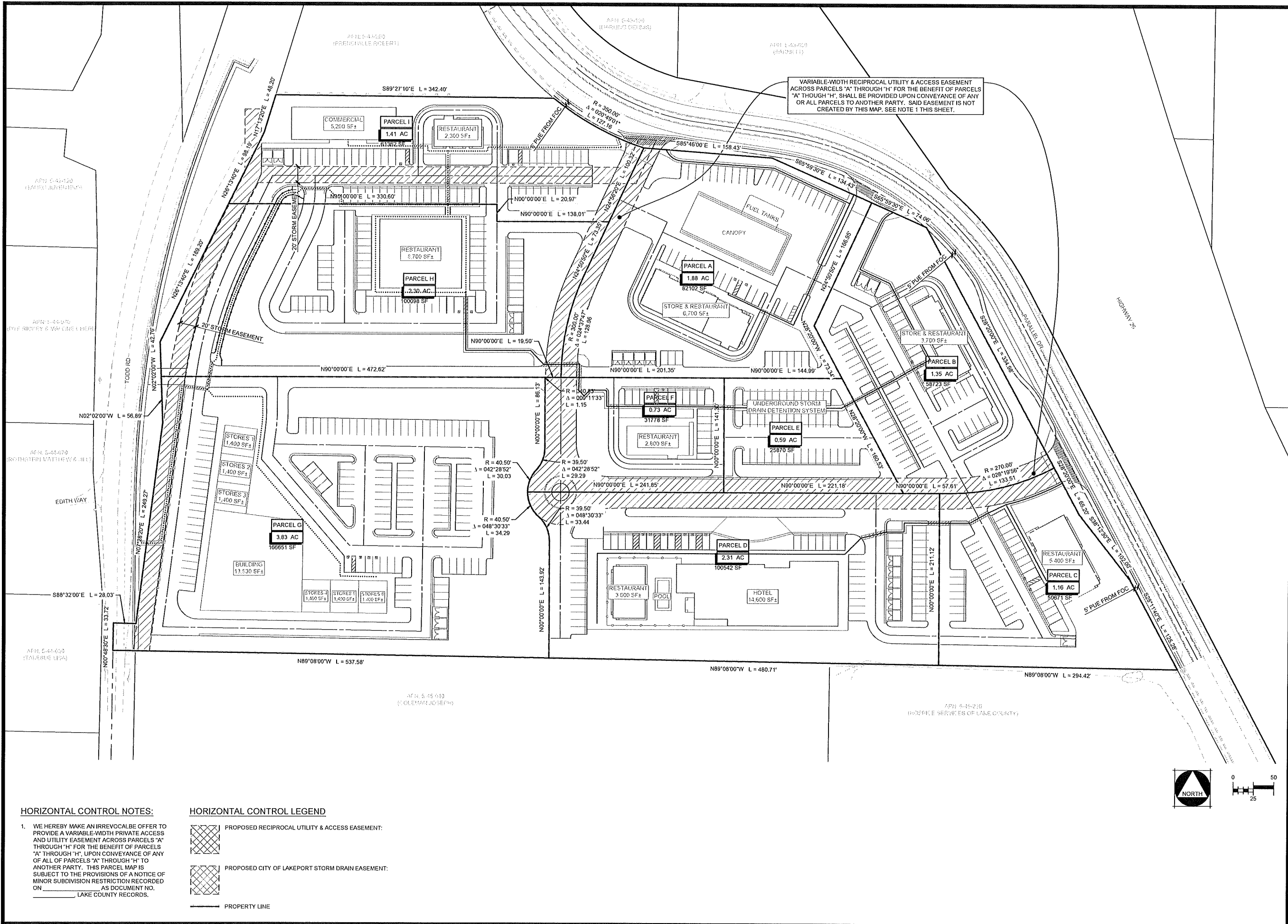
	HEAVY DUTY ASPHALT PAVEMENT (MAIN DRIVE ISLES):		HEAVY TRAFFIC CONCRETE (DRIVEWAYS & STRUCTURAL SECTIONS):		PROPOSED EVA:
	MEDIUM ASPHALT PAVEMENT (DRIVE ISLES):		MEDIUM TRAFFIC CONCRETE (TRASH ENCLOSURES):		PROPOSED LANDSCAPE:
	LIGHT ASPHALT PAVEMENT (PARKING STALLS):		CONCRETE (SIDEWALKS):		PROPOSED ADA PATH OF TRAVEL
	EXISTING PAVEMENT:		EXISTING CONCRETE:		



A PARALLEL DRIVE
SCALE: 1" = 10'






B PARALLEL DRIVE
SCALE: 1" = 10'



HORIZONTAL CONTROL NOTES:

1. WE HEREBY MAKE AN IRREVOCABLE OFFER TO PROVIDE A VARIABLE-WIDTH PRIVATE ACCESS AND UTILITY EASEMENT ACROSS PARCELS "A" THROUGH "H" FOR THE BENEFIT OF PARCELS "A" THROUGH "H". UPON CONVEYANCE OF ANY OF ALL OF PARCELS "A" THROUGH "H" TO ANOTHER PARTY, THIS PARCEL MAP IS SUBJECT TO THE PROVISIONS OF A NOTICE OF MINOR SUBDIVISION RESTRICTION RECORDED ON _____ AS DOCUMENT NO. _____ LAKE COUNTY RECORDS.

HORIZONTAL CONTROL LEGEND

-  PROPOSED RECIPROCAL UTILITY & ACCESS EASEMENT:
-  PROPOSED CITY OF LAKEPORT STORM DRAIN EASEMENT:
-  PROPERTY LINE

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1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

GEOMETRIC PLAN

LAKEPORT, CALIFORNIA

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LAKEPORT, CALIFORNIA

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GRADING PLAN



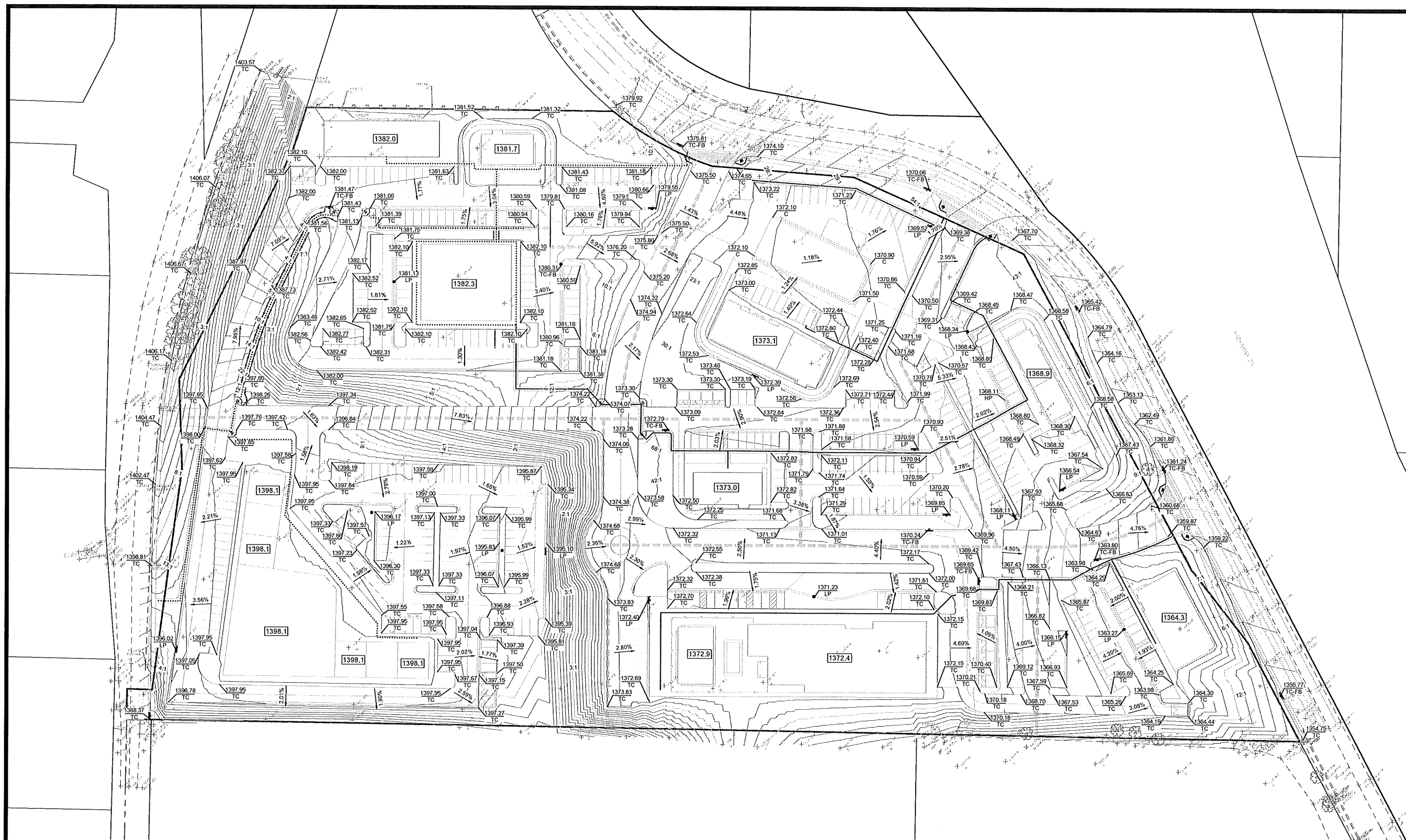
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SHEET NO.

C5.0

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EXISTING

XXXX
XX ELEVATION

XXX% SLOPE

EXISTING GROUND

PROPOSED

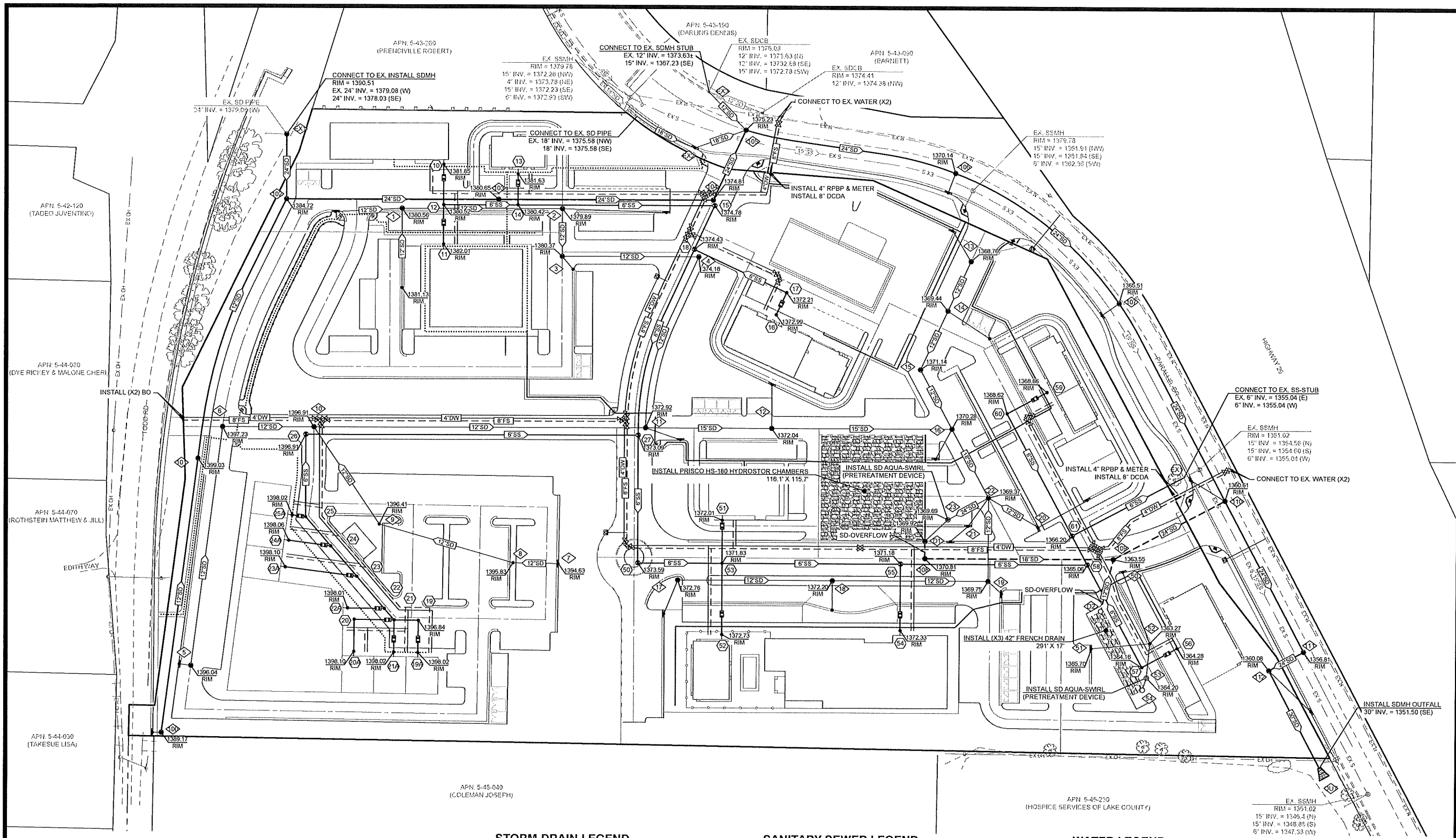
XXXX
XX ELEVATION

XXX% SLOPE

DIRECTION OF FLOWLINE

GRADING NOTES:

1. MAX 2% CROSS SLOPE ACROSS DRIVEWAYS
2. PROVIDE CONCRETE WALK EACH SIDE OF DRIVEWAY AS SHOWN. DIRECTION OF TRAVEL SLOPE SHALL NOT EXCEED 8.33% AND CROSS SLOPE NOT TO EXCEED 2%.
3. SAWCUT AND REMOVE CONCRETE CURBS AND PAVEMENT AS NECESSARY.
4. CONTRACTOR SHALL DOWEL INTO EXISTING DRIVEWAY AT 24" O.C WITH 48" #3 REBAR.
5. PAVEMENT CONFORM TRANSITION NOT TO EXCEED 1:12.



UTILITY ABBREVIATIONS

CI	CURB INLET	PVC	POLYVINYL CHLORIDE PIPE
CO	CLEAN OUT	RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE	RGRCP	RUBBER GASKET REINFORCED
DCDA	DOUBLE CHECK DETECTOR		CONCRETE PIPE
DIA	DIAMETER	RPBP	REDUCED PRESSURE BACKFLOW
DIP	DUCTILE IRON PIPE	R	RADIUS
EG	EXISTING GROUND	SD	STORM DRAIN
ELEV	ELEVATION	STA	STATION
(E), EX, EXIST	EXISTING	STD	STANDARD
FG	FUTURE/PROPOSED GRADE	SS	SANITARY SEWER
FH	FIRE HYDRANT	S	SLOPE
GV	GATE VALVE	TBO	TEMPORARY BLOWOFF
GW	GREASE WASTE	TB	THRUST BLOCK
HGL	HYDRAULIC GRADE LINE	TEMP	TEMPORARY
INV	INVERT	TYP	TYPICAL
IRR	IRRIGATION	WS	WATER SERVICE
LF	LINEAL FEET OR LINEAR FEET	W	WATER
MAX	MAXIMUM	±	PLUS OR MINUS (NOT EXACT)
MH	MAINTENANCE HOLE		
MIN	MINIMUM		
PBO	PERMANENT BLOWOFF		

STORM DRAIN LEGEND

	EXISTING	PROPOSED
CURB INLET		
AREA DRAIN		
MANHOLE		
STORM DRAIN (MAIN)	--- EX-SD ---	--- XX-SD ---
STORM DRAIN (OVERFLOW)	N/A	---
STORM LATERAL	--- EX-SD ---	---
STORM LATERAL (PERCOLATION)	N/A	
STORM TAG FLOW	XX-SD	XX-SD
STORM DRAIN NODE # (REFER TO CALCULATIONS)		

SANITARY SEWER LEGEND

	EXISTING	PROPOSED
STANDARD MANHOLE		
STANDARD CLEANOUT		
SANITARY SEWER	--- EX-SS ---	--- XX-SS ---
GREASE INTERCEPTOR	N/A	
SEWER TAG FLOW	XX-SS	XX-SS
SANITARY SEWER NODE # (REFER TO CALCULATIONS)		

WATER LEGEND

	EXISTING	PROPOSED W	PROPOSED FS
WATER VALVE			
WATER CONNECTION APPURATUS (SEE PLAN FOR DESCRIPTION)	N/A		
FIRE HYDRANT BLOWOFF			
WATER TAG	XX-W	XX-W	XX-FS
WATER	--- EX-W ---	---	---
WATER LATERAL	---	---	---



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UTILITY PLAN

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CITY OF LAKEPORT PLANNING COMMISSION

MEMORANDUM

RE: Outdoor Parklet Design

MEETING DATE: January 12, 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:

Discussion and study session regarding a process to modify the Zoning Ordinance to allow a process to approve Zoning Permits as a replacement to the current Covid-19 Emergency Temporary Zoning Permits.

SUMMARY OF THE ISSUE:

The Lakeport Zoning Ordinance currently allows, "outdoor sales, outdoor sidewalk food service/seating, short-term promotional events, and special outdoor events" with the issuance of a zoning permit - Section 17.12.040 for a fee of \$330.10. The city also has an encroachment permit process, but that is typically for construction activities or one-time events and it was not envisioned as a long-term encroachment. With the COVID-19 Health Emergency, the City Manager authorized Executive Order No. 2020-02 which approved a process for Emergency Temporary Zoning Permits to allow outdoor activities (parklet) with a no fee, expedited permit and delegated approval authority for review and approval.

On September 8, 2021, the Planning Commission directed staff to evaluate possible permanent standards including design criteria. Staff is at the point where additional direction is needed to help guide the standards.

The first item that Planning Commission will need to determine is if the duration will be year-round or seasonal with specific opening and removal dates, which will guide the requirements whether materials be bolted into the roadbed or the pouring of concrete to create a lasting structure versus have a simplified design where the flooring may be disassembled and stored during the winter months. The duration of the installation influences the selection of materials, type of construction and design. Another important decision is the level of design standards that the Planning Commission is seeking: encourage innovative and experimentation in design or provide strict regulations so there is a cohesive design throughout.

Staff proposes a more open viewshed than what the existing temporary areas have provided. There are three basic design concepts proposed. Staff is proposing that these concepts presented be permitted with a zoning permit, approved by Community

Development Director. For those businesses that propose alternative designs, an Architectural and Design review evaluated by Planning Commission shall be required.

For the majority of streetscapes, the outdoor space shall be immediately adjacent to the business, with a path of travel that bumps out into the right-of-way not to exceed one parking stall regardless of the business frontage. Section 17.28.010(M) allows for the projection of eaves and canopies beyond the property line as long as they are compliant with the current California Building Standards Code. The business may be permitted to install a permanent awning to be installed that extends no more than 6 ft with a minimum height of 10 ft for clearance.

The second alternative is for those businesses where ADA access limits the ability to have outdoor space immediately adjacent to the building, the outdoor space would then encroach into the right of way with the path of travel being immediately adjacent to the main structure. Any awnings or projection attached to the buildings in these unique areas shall be no more than the 3 ft. If Planning Commission chooses a year-round program, the applicant could propose a permanent trellised cover constructed in the City's right-of-way. As the dining area would be a combination of sidewalk and bulb-out, a mix of umbrellas and patio cover could be appropriate. Again, staff proposes the space to not exceed one parking stall.

Lastly, for businesses with the ability to provide outdoor dining on private property, limit sidewalk dining to four feet immediately adjacent to the building front and the use of right-of-way would not be permitted.

Staff proposes a yearly permit renewal, particularly to ensure that liability insurance is maintained to City standard. The platform areas will be required to incorporate a design that maintains curbside drainage. The design shall include landscape edges or barriers that naturally direct pedestrian traffic when the path of travel route is modified and would create immersive seating areas. In order to eliminate the "tunnel", at no point should a covering be constructed from the building to the street. The process shall include the input from the City Engineer and Building Inspector. Wheel stops and other safety features will need to be incorporated to ensure safety to customers and the structures.

SUGGESTED MOTION:

Staff is seeking Planning Commission's input on the proposed timeframe, level of design, and the use of entitlements.

PLANNING PROJECTS PENDING
as of
January 6, 2022

No.	Staff Assigned	File No./Name	Date Received	Progress	Next Action	PC / Staff Level
1.	Jenni	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)	P.C. Approved 8/15/2018
2.	Jenni	New Vista Development – Lakeport Hub Application #2019-20	10/7/2019	Application for a Combined Development Permit for the property at 1842 Todd Road in Lakeport California. The project would include the following: A Tentative Subdivision Map to subdivide a 14.89-acre parcel into eight (8) separate commercial properties. An Architectural and Design Review for the construction of ten (10) structures that include one (1) service station with bays, four (4) restaurants with drive thru facilities, two (2) restaurants, one (1) three story 70-unit hotel and three (3) commercial retail buildings. The total square footage of all the structures on the property would be approximately 94,850 square feet.	P.C. Review	P.C. Review 1/12/2022
3.	Jenni	Microenterprise Home Kitchen – AB626 Application# 2020-25		Consideration of the recent Lake County ordinance permitting Microenterprise Home Kitchens in accordance with AB 626.		
4.	Jenni	Peter Caravella – Application # 2021-21 – 1220 & 1240 Central Park Ave.	6/23/2021	Voluntary merger of two contiguous parcels.	Recordation	Staff Review
5.		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	Staff Review

6.		AGM & Associates – Application #2021-15 – 447 Bevins Street	9/16/2021	Application for a 40-unit senior housing new construction project.	**Per SB 330, This affordable housing project is a ministerial activity, not subject to Planning Commission approval or CEQA review.	Staff Review
7.		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	PC Review
8.		City of Lakeport – Application #2021-33 – Model Water Landscape Ordinance		Planning Commission will consider a minute order to amend the Municipal Code for compliance with SB 1383 which requires jurisdictions to adopt specific sections of CALGreen as well as adoption of the Model Water Landscape Ordinance.		CC Review
9.		Scott's Valley Band of Pomo Indians – Application #2021-34 – 175 First Street	12/1/2021	Application for a Use Permit for a change of use from a motel to residential use.	PC Review	PC Review 1/12/2022
10.		Barnett Trust – Application #2021-37 – 1624 Parallel Dr.	12/13/2021	Application for a Small Architectural and Design Review for a new sliding gate at the entrance to a commercial property.	Staff Review	Staff Review
11.		Tea Tree LLC – Application #2021-38 – 1950 Lakeshore Blvd.	12/15/2021	Application for a Minor Use Permit for Short-term Rental that would allow the use of the existing single-family dwelling as an Airbnb.	PC Review	PC Review 2/9/2022
12.		LNR Services LLC – Application #2021-39 – 600 Esplanade	12/15/2021	Application for a Minor Use Permit for a Short-term Rental that would allow the use of an existing single-family dwelling as an Airbnb.	PC Review	PC Review 2/9/2022