

**LAKE COUNTY PLANNING COMMISSION**

**MINUTES**

**REGULAR MEETING**

**September 27, 2018**

**Commission Members**

**P John Hess, District I  
P Bob Malley, District II  
P Eddie Crandall, District III  
A Dan Camacho, District IV  
P Daniel Suenram, District V**

**Staff Members**

**P Michalyn DelValle, Director  
A Byron Turner, Principal Planner  
P Shanda Harry, Deputy County Counsel  
P Danae Bowen, Office Assistant III**

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**11:08 a.m. Public Hearing on consideration of a Resolution of Intent to Amend the Lake County Zoning Ordinance and Zoning Ordinance Text Amendment (AM 18-03). The applicant is the COUNTY OF LAKE proposing the following Amendments:**

- **Allow a restaurant up to 750 square feet accessory to a permitted tasting room in the "APZ," "A," "RL," "RR," and "SR" Districts;**
- **Allow a restaurant exceeding 750 square feet in size accessory to permitted tasting room subject to obtaining a Major Use Permit in the "APZ," "A," "RL," "RR" and "SR" Districts;**
- **Allow a reduction of the Minimum Residential Construction Standards in the "R1" District from a minimum dwelling size of 720 square feet to 360 square feet, a minimum width reduction from 15 feet to 12 feet and a minimum eave reduction from 12 inch to 6 inch;**
- **Establish a permit process to allow Emergency Temporary Dwellings after a catastrophic or natural disaster;**
- **Modify the Collectors Permit conditions to allow a two car garage accessory to a permitted dwelling;**
- **Allow a reduction in the Minimum Residential Construction Standards of the "MH" Mobile Home Combining District from a minimum dwelling size of 560 square feet to 360 square feet.**

**Environmental Evaluation: Exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines. (Michalyn DelValle)**

Michalyn DelValle, Community Development Director, provided background information on the Zoning Ordinance Text Amendment and reviewed the Zoning Ordinance with the Commission.

Ms. DeValle highlighted Article 4 and spoke to the allowance of restaurants less than 750 square feet in varying zoning districts and to allow a restaurant exceeding 750 square feet, accessory to a permitted tasting room subject to obtaining a Major Use permit in various zoning districts.

Comm. Malley spoke to Cache Creek and concert venues, and commented that they also have dinners for their wine club. He asked if this would allow them to build a kitchen onsite and have the events in dedicated areas.

Ms. DeValle said yes, if this were to move forward, it would allow them to have a permitted kitchen.

Ms. DeValle explained Minimum Residential Construction Standards, which is contained in Article 10 of the Lake County Zoning Ordinance. She said the Board is recommending that the Minimum Residential Construction Standards be reduced and staff is recommending that all dwelling units must be at least 15 feet in width or diameter. She said what is being recommended is that it be reduced to 12 feet and be at least 720 square feet in gross floor area and staff is recommending that this be reduced to 360 square feet in gross floor area. She said there is a ten year limit on the age of manufactured homes that can be placed on almost all properties, there are some exception areas in the County. She said there will not be any changes to the roof pitch requirement, and recommending changes that all units will have a perimeter roof overhang on all sides not extending less than one foot measured from the vertical sides, which is the current measurement, and staff is recommending that this be reduced to six inches.

Comm. Suenram asked what the reasoning was behind the reduction of the eaves and is there a reason why it is being reduced on a stick framed house. He felt the further you get the water away from the foundation the better.

Ms. DeValle said there has been discussions on manufactured homes not exceeding a certain width and if it does, it would trigger additional permits. She said all of the standards are in one place with some exceptions and if changes are being made it would be across the board.

Ms. DeValle said the Chief Building Official is present and could answer some of those questions on building code requirements.

Mary Jane Montana, Chief Building Official, explained that the California Building Code does not require eaves, but does require fascia on the exposed eave tails as well as drip edges to protect them from water. She said many different architectural styles of homes like dome homes do not have eaves and that is allowed under the code. She said a standard wood frame construction house with a single pitch roof would be expected to have eaves. She said eaves can present problems as well as divert problems and the present problems regarding fire and fire intrusion of embers, and most eaves now are

completely soffitted with hardi board, as well as most sidings are either stucco or cement board, which are ignition resistant and they are also resistant to moisture and water. She added that the sidings are already resistant to water intrusions.

Ms. DelValle said there is a provision in the Zoning Ordinance for temporary dwellings and the County has been allowing for dwellings, post fires, per the Governors order that they do expire after a certain time period.

Ms. DelValle said there is not a provision for the County to issue a temporary dwelling in a situation of someone's home randomly burning down, not due to a catastrophic fire, unless they have applied for a building permit. She said staff wanted to move forward and provide some allowance for emergency temporary dwellings in the case of a catastrophic or natural disaster and this would be if there was a house fire and residents wanted to get back on their property rather than finding a rental or live in a hotel. She said staff has proposed that a trailer coach, recreational vehicle, mobile home or single-family dwelling may be used as an emergency temporary dwelling unit for a period of time not to exceed six months during the recover process due to a catastrophic or natural disaster.

Comm. Suenram suggested a provision to allow for an extension of the six months under certain conditions, and referenced the Cobb and Anderson Springs areas where people are still in temporary structures.

Ms. DelValle noted that those areas were probably under Governors orders, which is for three years.

Comm. Suenram said if within that six months, if the permit process is started and they are showing that they are planning on rebuilding and work is progressing, could that then be possibly extended.

Ms. DelValle said if a building permit was applied for then it would be fine and moved to a temporary dwelling within the six month period.

Ms. DelValle spoke to Collectors Permits, which would allow a two car garage accessory to a permitted dwelling. She said currently the minimum residential construction standards is a home up to 720 square feet and built accessory square footage, is up to the size of the residence. She said there is a provision in the zoning ordinance where you could apply for a Minor Use Permit for a Collectors Permit, which is a residential accessory use. She said because the minimum residential standard is proposed to be reduced to 360 square feet, someone may want to build a two car garage, which is normally 400 square feet. She said staff is proposing to allow a two car garage and it shall not be counted towards the accessory square footage to trigger the minor use permit, so people can build a two car garage without the extra added expense and time of processing the minor use permit.

Comm. Suenram suggested a larger than a 400 square footage area for a two car garage, especially in a smaller square footed home. He said that an average family sized vehicle would be difficult to fit two cars in a 400 square foot garage. He thought there should be a maximum size definition for a two car garage and felt it needed to be addressed with the Board of Supervisors.

Ms. DeValle asked if a maximum of 500 square feet would be sufficient.

Comm. Hess said he felt uncomfortable with picking a number out of mid-air, but he thought it was worth conveying these thoughts to the Board of Supervisors.

Ms. DeValle stated that the Commission will need to adopt the Resolution of Intent and make a recommendation to the Board of Supervisors concerning the proposed Text Amendments. She said the Resolution does contain all of that language and is very specific and so does the proposed ordinance.

Comm. Suenram said we will need specific language if this is to be discussed.

Ms. Montana said that frequently people who are looking to build smaller homes, tend to be retired and on the road and have a motorhome or travel trailer and the larger motor home, typically would be 8 x 40 feet, which would be 240 square feet and a normal sized stall would be 440 square feet, with a little extra room to store bicycles. She said this would be reasonable and is not a large building in the scope of things. She said there are garages now that are 800-1200 square feet, which is the average sized garage. She said this would be smaller than normal, but still would be adequate to meet the needs of people that would be traveling and wanted to keep their vehicles out of the weather.

Comm. Suenram asked if they could make that recommendation and have some language as to why this was settled on.

Ms. DeValle said she recommended in the Resolution as well as the proposed ordinance that they amend the section for Collectors Permits, to state: *"A Collectors Permit shall be a residential accessory use, a two car garage up to 500 square feet, accessory to a permitted dwelling shall not be counted towards accessory square footage."*

Comm. Crandell said he was on board with that.

Ms. DeValle pointed out the green sheeted information on the Emergency Temporary Dwellings, which are proposed to be permitted in the following Zoning Districts: "APZ," "A," "TPZ," "RR," "RL," "SR," "R1," "R2," "PDR," and "U." She asked that the Ordinance be amended to allow emergency temporary dwelling in these zoning districts, which is consistent with where temporary dwellings are allowed.

Comm. Hess asked if this would cover every area that was affected by the Valley Fire.

Ms. DeValle said this would cover every area that allows for single family dwellings and it does not include properties with a commercial zoning.

Ms. DeValle said the Mobile Home Combining District "MH," is being proposed to be reduced from the Minimum Residential Construction Standards of 560 square feet to 360 square feet. She said other than that, there are not any other recommended changes and staff is not proposing any changes to the Residential Design Combining District.

Ms. DeValle said staff's recommendations are that the Planning Commission adopt the Resolution of Intent to amend Chapter 21 of the Lake County Zoning Ordinance as amended today and to find that the proposed text amendment to the Zoning Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines with the findings listed in the staff report. She added that the Planning Commission recommend that the Board of Supervisors approve the Zoning Ordinance Text Amendment as amended today.

Comm. Malley offered the resolution recommending that the Board of Supervisors approve the Resolution of Intent to amend Chapter 21 of the Lake County Zoning Ordinance.

**RESOLUTION OF INTENT BY ROLL CALL VOTE: 4 Aye 0 Noes 1 Absent (Comm. Camacho)**

Comm. Malley moved, 2<sup>nd</sup> by Comm. Suenram that the Planning Commission find this Zoning Ordinance text amendment (AM 18-03) is exempt from CEQA Guidelines pursuant to §15061(b)(3).

**CATEGORICAL EXEMPTION: 4 Aye 0 Noes 1 Absent (Comm. Camacho)**

Comm. Malley moved, 2<sup>nd</sup> by Comm. Hess that the Planning Commission recommend that the Board of Supervisors approve the proposed Zoning Ordinance text amendment (AM 18-03) applied for by the County of Lake for the reasons listed in the staff report dated September 5, 2018.

**ZONING ORDINANCE TEXT AMENDMENT APPROVAL: 4 Aye 0 Noes 1 Absent (Comm. Camacho)**