REGULAR MEETING
THURSDAY APRIL 9, 2020 at 5:30 p.m.
VIRTUAL VIA ZOOM MEETINGS

Due to the current public health emergency resulting from COVID-19, the public may access and participate in the public meeting using one or more of the following three methods: (1) participate online via Zoom – details to join the meeting will be on both the City of Crescent City – City Hall Facebook page as well as the City of Crescent City website (www.crescentcity.org); (2) watch the meeting via livestream on YouTube (Channel: City of Crescent City, California) and submit comments via publiccomment@crescentcity.org; or submit a written comment by filing it with the City Clerk at 377 J Street, Crescent City, California 95531 prior to 4:00 pm, April 8, 2020. If you require a special accommodation, please contact Heather Welton at (707) 458-4815.

AGENDA

I. CALL TO ORDER:

ROLL CALL:

II. PUBLIC COMMENT: The public may address the Planning Commission on any item of interest that is within the Commission’s subject matter jurisdiction or that appears on the agenda. The Commission is not able to discuss extensively or act on any items that do not appear on the agenda. After receiving recognition by the Chairperson, please state your name and city or county residency for the record. Public comment is limited to three (3) minutes or other reasonable limitations specified by the Chairperson on particular topics or individual speakers (Gov’t Code §54954.3(b)).

III. CONSENT CALENDAR: None.

IV. APPROVAL OF MINUTES:

IV-A. Approval of the minutes of the February 20, 2020 Special Meeting of the Crescent City Planning Commission and Architectural Review Committee.
V. ARCHITECTURAL REVIEW:

V-A. Variance request for residence:
A variance from the required 20-foot front yard setback to a 15-foot front yard setback. The applicant has placed a manufactured home on the project site which includes a foundation at the requested 15-foot front yard setback.

VI. CONTINUING BUSINESS: None.

VII. NEW BUSINESS: None

VII. REPORTS, CONCERNS, REFERRALS: In accordance with Gov’t Code §54954.2(a)(2),
Planning Commissioners or staff may briefly respond to public comment, make brief announcements or reports, or ask questions for clarification. Planning Commissioners or the Commission may also direct staff to report back on any matter at a subsequent meeting or to place a matter of business on a future agenda.

IX. ADJOURNMENT: Adjourn to the regular meeting of the City of Crescent City Planning Commission and Architectural Review Committee. Next meeting scheduled for Thursday May 14, 2020 at 5:30 p.m. at the Flynn Center, 981 H Street, Crescent City, CA 95531

POSTED:
April 6, 2020
By: Heather Welton
Office Technician
MINUTES

I. CALL TO ORDER: Chairman Altman called the meeting to order at 5:30 pm.

ROLL CALL: Commissioners Present: Chairman Raymond Altman, Vice-Chair Holly Greene, Commissioner Brad Kime, Commissioner John Wendt and Commissioner Ray Walp.
Staff Present: City Manager Eric Wier, Public Works Director Jonathan Olson, Office Technician/Planning Secretary Heather Welton.

II. PUBLIC COMMENT: There was no public comment.

III. CONSENT CALENDAR: None.

IV. APPROVAL OF MINUTES:

IV-A. Approval of the minutes of the January 9th, 2020 Regular Meeting of the Crescent City Planning Commission and Architectural Review Committee.

On a motion by Commissioner Kime, seconded by Commissioner Wendt and carried unanimously on a 5-0 vote, the Crescent City Planning Commission and Architectural Review Committee approved the minutes of the January 9th, 2020 regular meeting with the changes of the typographical errors.

V. ARCHITECTURAL REVIEW: None.

VI. CONTINUING BUSINESS:

VI-A. Discuss RV Long-term Residential Parking Ordinance
In March 2019, the City Council directed staff to expand on Recreational Vehicle (RV) use through development of a RV long-term parking ordinance on private property (for numerous
reasons, not limited to: displacements due to disasters, mishaps, financial hardships, domestic violence, houngs shortage etc.). This policy should be separate from the oversized vehicle parking regulations outlined in Chapter 12.40 “PARKING REGULATIONS” of the municipal code. Commission discussed the permitting of RV parking and use on private property within City limits during the December 2019 Planning Commission meeting, and provided some specific direction to staff.

Jonathan Olson, Director of Public Works, gave a brief background and description of the ordinance.

The draft ordinance was discussed on a Commission level.

There was no public comment.

Director Olson asked for clarification regarding yard requirements for RV’s used as residences. Commission Consensus was that five feet should be kept clear all around the RV as the only yard requirement.

VI-B. Discuss Development of Small Cellular Sites Ordinance
Local jurisdictions must reasonably allow wireless telecommunication facilities to be located in public right-of-way but may impose regulations based on published aesthetic standards. To provide for the regulation of small wireless sites within city limits consistent with recently adopted Federal regulations, city staff seek input on a draft ordinance to guide siting of small wireless facilities in the public right-of-way. Today, the Commission will review, discuss, and provide staff with direction regarding the attached draft ordinance. The Commission previously received background on small cell facilities and how other cities are regulating their placement in the public right of way (ROW) at their January 9, 2020 meeting.

Director Olson gave a brief background and description of the ordinance.

The draft ordinance was discussed on a Commission level.

There was no public comment.

Consensus from the Commission was to have Section H removed and replaced with “Other requirements as set by City Engineer’s policy per permit applications”

Consensus from the Commission was to have Section 8 on the conditions of approval say, “May issue a stop work notice.”

Consensus from the Commission was to add language deeming small cell sites with expired permits to be abandoned.

VII. NEW BUSINESS: None.

VII. REPORTS, CONCERNS, REFERRALS: In accordance with Gov’t Code §54954.2(a)(2),
Planning Commissioners or staff may briefly respond to public comment, make brief announcements or reports, or ask questions for clarification. Planning Commissioners or the Commission may also direct staff to report back on any matter at a subsequent meeting or to place a matter of business on a future agenda.

Jonathan Olson, Public Works Director, stated that at next month’s Planning Commission meeting they will be discussing four ordinances. Two of them being the cannabis and mobile vending ordinances.

Eric Wier, City Manager, gave the Commission a quick City report. He spoke about the HGTV Hometown Takeover and the video submittal. He spoke about the Wayfinding signs that have been being constructed around town. He spoke about the Comprehensive Economic Development Goals and Strategy (CEDS) document being jointly prepared for the City/County/Harbor and a City specific economic strategy that is forthcoming. Discussed the agreement with Tidewater for construction of the Front Street Storm Drain Project. Eric indicated that the City is very close to constructing the Sunset Circle Trail project. He spoke about the Olympic Marketing “Go for the Gold” campaign and that City staff are working very hard with other community partners to make the operation a success. He spoke about the Beachfront Park Master Plan, the Fire Department Master Plan and the new staffing changes at the Crescent City Police Department.

Jonathan Olson, Public Works Director, told the Commission about the new code enforcement software that will be implemented at City offices as well as an accessible kiosk that will be installed at City Hall.

IX. ADJOURNMENT: There being no further business to come before the Planning Commission, Chairman Altman adjourned the meeting at 6:20 pm to the regular meeting of the City of Crescent City Planning Commission and Architectural Review Committee. Next meeting scheduled for Thursday, March 12th, 2020 at 5:30 p.m. at the Flynn Center, 981 H Street, Crescent City, CA 95531

ATTEST:

_______________________
Heather Welton, Planning Secretary/Office Technician
Agenda Item V-A

Recommended Planning Commission Actions:
1. Open the public hearing
2. Hear presentation from staff concerning consistency with the conditions in Section 17.56.010 (E) of the CCMC.
3. Hear applicant’s comments (if present)
4. Receive public comments on the variance request
5. Consider the alternatives for approval/denial in the staff report and take action on the variance request.

Applicant: Erin Kraemer

Request: A variance from the required 20-foot front yard setback to a 15-foot front yard setback. The applicant has placed a manufactured home on the project site which includes a foundation at the requested 15-foot front yard setback.

Site Address: 1160 Breen Street
Lot Size: 19,524 sq. ft./0.448 acres
GP Land Use: Residential Multi-Family 6-15
Zoning: R-2 Moderate Density Residential

Coastal: No

Surrounding Zoning/Uses:
East: Outside of City Limits
South: R-2 Moderate Density Residential District, Vacant Land
West: R-1 Low Density Residential District, Residential
North: R-2 Moderate Residential Professional District, Residential

Background:
The applicant applied for and was granted a building permit for this development. The applicant is requesting a variance for front yard lot line set back. The applicant has already constructed the principally permitted manufactured home in the R-2 district. The manufactured home was set on a foundation that was built at a fifteen-foot set back from the lot line. The City reviewed and approved a plot plan that showed a 20-foot setback. The Contractor incorrectly measured the required setback when he was placing his formwork. The building official did not catch the discrepancy until after the foundation had been poured and the residence placed on the foundation.
In order to achieve the proper setback, the home would have to be moved, the foundation partially demolished and modified, and then the residence could be re-set. This would be a great expense to the Owner/Contractor.

The manufactured home as constructed by the applicant only has a front yard setback of 15 feet. According to Crescent City Municipal Code (CCMC) 17.04.315 (Lot line, front.) the “‘Front lot line’” means in the case of an interior lot, a line separating the lot from a street or place. (Ord. 629 Exh. A, 1988; prior code § 30-700 (63)).” The front of the lot is determined to be Breen street. CCMC 17.14.030 (B.1) states: “Front Yard. Twenty Feet.” requiring a minimum 20-foot front yard area beginning from the lot line.

**Staff Analysis:**
Proposal – Allow 15-foot front yard setback
The Applicant is requesting a variance from the minimum front yard set-back. The applicant is requesting a 15-foot front yard setback for the manufactured home instead of a 20-foot front yard setback as required by Sections 17.14.030 of the CCMC.

Image 1 House will sit approximately 5-feet closer to the front property line than adjacent Houses.
Variance Requirements
Under California planning law (Chapter 17.56 Variances Municipal Code) granting of a variance requires that specific findings be made, primarily where physical constraints would limit a property in a unique situation. City Code generally reflects these requirements noting that it shall be shown:
A. That there are exceptional and extraordinary circumstances of conditions applicable to the property involved;
B. That such variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question;
C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which property is located;
D. The granting of such variances will not adversely affect the general plan for Crescent City;
E. That a public hearing wherein the applicant is heard and in which he substantiates all of the conditions cited above; and
F. That the planning commission in reviewing such requests and hearing the evidence finds that conditions of subsections A through E of this section have been met.

Subjection E. above provides an opportunity for the applicant to provide the justification for making the findings required to approve this variance request.

Staff Recommendations:
Based upon the analysis of information available the staff has developed three alternatives to be considered by the commission. It is recommended that the Planning Commissioners visit the site prior to the meeting.

Alternative 1:
Grant the variance request to allow the existing foundation and residence to remain as constructed, with a front yard setback of 15 feet.

Alternative 2:
Grant the variance request to allow the existing foundation to remain as constructed, with a front yard setback of 15 feet for the manufactured home and require any and all other improvement, including the carport, to meet City setback requirements.

Alternative 3:
Deny the variance request and require the applicant to move the manufactured to comply with municipal code section 17.14.030 B.1. which requires a 20-foot front yard setback.

Staff recommends selection of alternative 2 which would allow the residence to remain and all other constructed elements to be constructed with the correct setbacks.

Environmental Determination:
The project is exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Class 3, New Construction or Conversion of Small Structures (CEQA Guidelines §15303[a]).
Further Action:
No further action on this item is necessary unless the Commission’s actions are appealed to the City Council.

Attachments:
   A. Draft approval letter
   B. Variance Application
April 10, 2020

Erin Kraemer
1160 Breen Street
Crescent City, CA 95531

RE: Variance Approval

Dear Mr. Kraemer:

At the April 9, 2020 meeting, the Planning Commission approved the front yard setbacks variance application for a manufactured home to be placed with a 15-foot setback, as opposed to the 20-foot setback for 1160 Breen Street (APN 118-330-074).

The Planning Commission made the finding that the proposed project is exempt from the California Environmental Quality Act (CEQA) under Class 3, New Construction or Conversion of Small Structures (CEQA Guidelines §15303[a]), in that:

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

Sincerely,

Jonathan Olson
City Engineer/Director of Public Works
City of Crescent City
(707) 464-7483 ext. 234
CITY OF CRESCENT CITY
Development Permit Application

TYPE OR PRINT CLEARLY

Applicant: Erin Kraemer
Street Address: 1160 Breen Street
City: Crescent City
Zip Code: 95531
Day Phone: 530-408-8464

Representative (if any): Wes Pettigrew @ Crown Homes
Street Address: 7220 Crater Lake Hwy
City: White City, Or
Zip Code: 97503
Day Phone: 541-830-0629

Property Owner: Erin Kraemer
Street Address: 1160 Breen Street
City: Crescent City
Zip Code: 95531
Day Phone: 530-408-8464

Correspondence to be sent to: ☐ Applicant ☑ Representative ☐ Owner

Project Address: 1160 Breen Street, Crescent City, Ca. 95531
Assessor's Parcel No.: 118-330-074-000

Description of proposed project (attach sheets if necessary)
New Manufactured Home being placed on property. We need a variance of 10'. We are currently 10' off the property line and would a variance to meet the 20' requirement.

Existing Land Use: R-2
Adjacent Use: Residential
Building Coverage: sq ft existing

Project Acreage: Project Height: Approx. 15'
Building Coverage: 27' x 44' w/ 167 sq. ft. proposed
Grading Required? ☑ No (if yes, attach preliminary grading plan)

Diking, dredging, or filling of open coastal water, wetlands or riparian/drainage areas. (Attach biological report and preliminary grading plans.)
Land Division or Boundary Adjustment. (Include tentative map with existing property lines, proposed lots, lot sizes, dimensions, access, physical features and proposed improvements, utilities, etc.)

Applicant/Representative: I have reviewed this application and the attached material. The provided information is accurate.

Signed: [Signature] Date: 2-22-20

Property Owner/Authorized Agent: I have read this application and consent to its filing.

Signed: [Signature] Date: 2-27-20

☐ Architectural Review ☐ Lot Line Adjustment ☐ Subdivision/Minor
☐ CEQA Review ☐ Municipal Code Amendment/Rezone ☐ Subdivision/Major
☐ Coastal Development Permit ☐ Parcel Merger ☐ Use Permit
☐ General Plan Amendment ☐ ROW or Street Abandonment ☐ Variance or Waiver
☐ Home Occupation ☐ Special Review ☐ Other

☐ Application Form ☐ Project Plans: *
☐ Application Fee ☐ Project site plans (buildings, parking, etc.)
☐ Supplemental Application Forms (variance home occupation, etc.) ☐ Building floor plans and elevations
☐ Project property deed(s) ☐ Preliminary grading/drainage plans
☐ Proof of applicant's legal interest in the property (escrow, etc.) ☐ Landscaping/irrigation plans/dumpster
☐ *Project Plans: For Subdivision one set of full size plans and/or one set not to exceed 11" by 18" in size are to be provided. Specific information may be required for plans - ask staff for additional information.

Application Number(s): 80-01
Filing Fee: 50
Date Filed: 3-30
Receipt #: 10

Date Application Completed: 2-27-20
Zoning: R2
General Plan: (LUP) RESIDENTIAL MULTI-FAMILY

CEQA: Exempt ☑ Negative Declaration ☑ Mitigated Negative Declaration ☑ Environmental Impact Report

Review By: Planning Commission ☑ City Council ☑ Architectural Review ☑ Planning/Public Works

Public Hearing: Office Hearing ☑ Approvable to Coastal Commission?

Other Notes: Approve:

MAKE CHECKS PAYABLE TO CITY OF CRESCENT CITY

planning/pdfs/planning_templates/planning_application

Rev. 0 3/31/06
ERIN KRAMER
1160 Breen St.
Crescent City, CA 95531
APN # 118-330-074
27' x 44' Manufactured Home
1,167.36 Feet
W/ 10' x 20' Carport

1 inch = 1/25 feet

Variance
Plot Plan
CITY OF CRESCENT CITY
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

NOTICE is hereby given that a public hearing on a proposed variance permit regarding residential setbacks at 1160 Breen Street will be held during the Crescent City Planning Commission on April 9th, 2020 at 5:30 p.m. located at the County Board of Supervisors Chambers, 981 H Street, Crescent City, California. Due to the current public health emergency resulting from a virus, the public may access and participate in the public hearing using one or more of the following three methods: (1) participate online via Zoom (details on joining the meeting will be listed on the agenda for the meeting); (2) watch the meeting via livestream on YouTube (Channel: City of Crescent City, California) and submit comments via publiccomment@crescentcity.org; or submit a written protest or comment by filing it with the City Clerk at 377 J Street, Crescent City, California 95531, prior to the hour of 4:00 p.m. on Wednesday, April 8, 2020. The staff report will be available for review on the City’s website www.crescentcity.org.

/s/
Planning Clerk Heather Welton
Publish Date: March 27, 2020