

Eric Porter

From: John Everett
Sent: Wednesday, June 14, 2023 1:26 PM
To: Eric Porter; Vance Ricks; Scott DeLeon; Cara Salmon; Christina Gearhart; Lori Baca; Paul Bleuss; Wink, Mike@CALFIRE; ROBERTSON, JESSE GRAHAM@DOT
Cc: Mireya Turner
Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant

Eric,
I have few comments regarding this appeal. The Public Works Department, E&I Division is committed to providing wider (than 6") paved shoulders along major roadways throughout Lake County in order to reduce roadway departure accidents. Shoulders 5' and wider can be effectively used as bike lanes. Lastly,
If the developer is supposed to conform to the typical section for a minor arterial as shown in Lake County Road Design and Construction Standard 200-A, shouldn't they be dedicating a roadway easement for a distance of 30' from the centerline according to that standard? Has any thought been given to a future need for a northbound right turn lane (similar to across the intersection ie. Southbound SH 281). This future lane configuration would fit in the 30' of ROW; 12' left/through lane – 6' bike lane – 12' right turn lane.

John Everett PE
Associate Civil Engineer
County of Lake
255 N. Forbes St., Room 309
Lakeport, CA 95453
(707) 263-2719

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Wednesday, June 14, 2023 11:00 AM
To: Vance Ricks <Vance.Ricks@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Christina Gearhart <Christina.Gearhart@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Paul Bleuss <pbleuss@kelseyvillefire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>
Cc: Mireya Turner <Mireya.Turner@lakecountyca.gov>
Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant

Vance et al,

Please see attached. The 'justification' for the appeal is in the form of an email within Exhibit A3 attached.

Thanks,
Eric Porter

From: Vance Ricks <Vance.Ricks@lakecountyca.gov>
Sent: Wednesday, June 14, 2023 10:51 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Christina Gearhart

Eric Porter

From: Christina Gearhart
Sent: Tuesday, June 20, 2023 3:11 PM
To: Eric Porter
Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant

Good Afternoon, Eric,
Our office does not have any comment regarding the appeal of the road widening condition as it does not appear it will have any effect on the existing septic systems or well on the property.

If you have any questions, or need anything additional from our office, please let me know.

Warm Regards,
Chris

Christina Gearhart
Lake County Environmental Health
922 Bevins Ct.
Lakeport, CA 95453
(707) 263-1164
(707) 263-1681 (FAX)
Christina.Gearhart@lakecountyca.gov

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From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Wednesday, June 14, 2023 9:54 AM
To: Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Christina Gearhart <Christina.Gearhart@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Paul Bleuss <pbleuss@kelseyvillefire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>
Cc: Mireya Turner <Mireya.Turner@lakecountyca.gov>
Subject: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant

Good morning all,

Lake County Planning has received an appeal of the approval of PM 22-02, Scotts Valley Energy Corp (formerly Scotts Valley Band of Pomo Indians).

The parcel map was approved by the Planning Commission on May 25th, 2023. The appellant is primarily objecting to Condition No. III.4 in the attached conditions, which require improvements to Red Hills Road adjacent to the site.

The Board of Supervisor hearing for this appeal is tentatively scheduled for July 18, 10:30 a.m. I need your comments back on or before June 28th please.

Eric Porter

From: John Everett
Sent: Thursday, June 15, 2023 3:09 PM
To: Eric Porter; Vance Ricks; Scott DeLeon; Cara Salmon; Christina Gearhart; Lori Baca; Paul Bleuss; Wink, Mike@CALFIRE; ROBERTSON, JESSE GRAHAM@DOT
Cc: Mireya Turner
Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant
Attachments: Standard Plan 200A.pdf

Eric,
As Mr. Jordan states in his appeal form under Reason for Appeal: "The requirement to widen the east side of the road by 7 feet, for a distance equal to the western boundary of the new parcel, is excessive for the number of additional housing units." This would suggest that the boundary line is roughly 18 feet offset from the centerline of Red Hill Road. The existing road is roughly a 10 ½ feet travelled lane with a ½ foot shoulder (11' from centerline to edge of pavement). Scott is asking the property owner to increase the travel lane to a standard 12' width and increases the shoulder to 6 feet wide. This brings the edge of the proposed pavement to the western boundary of the new parcel as Mr. Jordan states. We will need additional ROW if we wish to include 2 feet of gravel and include a roadside drainage ditch within the public's ROW.
In the future, as traffic increases, we may need to add a right turn lane and would require the entire 30' of ROW shown in the typical section for a minor arterial per Lake County's Road Design and Construction Standards Standard Plan 200A (attached). Scott has included a COA for the property owner to widen their half of Red Hill Road to conform to the typical section. I am questioning why we didn't condition the subdivision of the original parcel map to include a 60' ROW for Red Hill Road per 200A. Eventually, we will need to widen the northbound approach of Red Hill Road to mirror the southbound approach of SH 281 across the intersection. Then we will have to acquire the ROW we will need. We can also wait until the commercial parcel resulting from this tentative map on the NE quadrant of this intersection is developed to condition the dedication of ROW to meet the needs of the public. What Scott is asking for is more urgent. That is to upgrade substandard travel lane and shoulder width... now.

John Everett PE
Associate Civil Engineer
County of Lake
255 N. Forbes St., Room 309
Lakeport, CA 95453
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From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Thursday, June 15, 2023 2:11 PM
To: John Everett <John.Everett@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Christina Gearhart <Christina.Gearhart@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Paul Bleuss <pbleuss@kelseyvillefire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>
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Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant



Joey P. Huggins, Fire Chief

KELSEYVILLE FIRE PROTECTION DISTRICT

4020 Main Street

Kelseyville, California 95451

Business Phone: (707) 279-4268

Business Fax: (707) 279-4422

June 27, 2023

AB 23-01

Re: 7130 Red Hills Road

Kelseyville, CA 95451

Good Afternoon Planner Porter,

The Kelseyville Fire Protection District (KFPD) has adopted the 2022 California Fire Code (CFC). All structures and operations will have to comply with the 2022 CFC, as well as any County Ordinances. This project is located in the State Responsibility Area so please look for comments from CAL Fire as well. The following is a brief list but not a complete one. Please refer to the 2022 CFC and Lake County Ordinances for a comprehensive list of all requirements specific to this project.

Section 906.1 Where Required. *Portable fire extinguishers shall be installed in all of the following locations:*

- 1. In new and existing Group A, B, E, F, H, I, L, M, R-1, R-2, R-2.1, R-2.2, R-3.1, R-4 and S occupancies.*

Section 505.1 Address identification. *New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102mm) high with a minimum stroke width of ½ inch (12.7mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and*

the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 506.1 Where Required. *Where access to or within a structure or an area is restricted because of secured opening or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.*

Section 506.1.1 Locks. *An approved lock shall be installed on gates or similar barriers where required by the fire code official.*

Means of Egress for all structures and fenced in areas shall be in accordance with Chapter 10 of the 2022 CFC.

Fire Department Access roads will comply with Appendix D of the 2019 CFC.

If water storage tanks are present for fire protection:

Operational Permits may be required for the functions/operations being performed.

Multiple permits of varying fees may also be required if more than one operation is being performed.

All fire suppression/alarm equipment (i.e fire extinguishers, sprinkler systems, fire alarm and notification devices, etc) are required to be inspected, tested and maintained per their appropriate NFPA Standard.

Defensible space will be provided in accordance with Lake County Ordinances.

Eric Porter

From: Scott DeLeon
Sent: Monday, June 5, 2023 2:29 PM
To: Thomas Jordan
Subject: RE: Red Hills Tentative Subdivision Map Approval Conditions

Tom, I presume you are referring to Condition III.4 of the Conditions of Approval for the Tentative Parcel Map that was approved on May 25th? County Code requires the half-width improvement of any county road that abuts parcel and subdivision map developments. It's Section 26.6 and I've copied and pasted it below. Red Hills Road is classified as an Arterial road in our system.

26.6 Where the subdivider or developer of any division or subdivision of land in which any lot or parcel abuts an existing County-maintained road, he shall dedicate by map or separate instruments the right-of-way and shall widen such road under the following conditions:

(a) When such a road is an Arterial Road as designated in the Lake County General Plan, the dedication of right-of-way shall be thirty (30) feet from centerline of the existing road on the lots or parcels which abut said road, the widening shall consist of grading, draining, basing and paving to a width of eighteen (18) feet from the centerline of the existing road.

(b) When such road is designated as a Collector Road in the Lake County General Plan, the dedicated width shall be twenty-five (25) feet from the centerline of the existing road and the road widening shall be sixteen (16) feet unless the road is listed as a proposed Class II Bikeway in the most recently adopted Lake County Regional Bikeway Plan, in which case the road widening shall be eighteen (18) feet wide and meet all of the conditions in subsection (a) of this section.

(c) When such road is designated as a Minor Road in the Lake County General Plan and such road right-of-way width is less than required for a Minor Road under this chapter, then the subdivider or developer shall widen such road, when it abuts any lots or parcels to be subdivided, to conform to the requirements of Minor Roads.

(d) The Planning Commission or Board of Supervisors or the Director of Public Works may grant a variation from the required widening provided they find that physical conditions make it impractical to construct said widening.

(e) The Planning Commission (or on appeal the Board of Supervisors) may grant a deferral from the widening required by this section on properties designated as Rural Residential, Rural Lands, Agriculture or Resource Conservation in the Land Use Element of the Lake County General Plan when said widening is not currently needed for health and safety purposes or for the orderly development of the surrounding area. As a condition of the deferral, the subdivider shall be required to enter into an Improvement Deferral Agreement with the County. A deferral from the required widening will not be approved under any one of the following conditions:

(1) Where the occupancy of the adjoining parcels that abut the road for a distance of a quarter mile exceeds six (6) residences upon one side of the road or eight (8) residences upon both sides of the road;

(2) Where more than fifty percent (50%) of the road's respective classification improvements exist within one (1) quarter mile in each direction;

(3) Where the County Road Commissioner determines that deferral of improvements would be contrary to public safety and welfare.

(Ord. No. 664, § 7.26, 1971; Ord. No. 791, § 1, 3-19-74; Ord. No. 2701, § 1, 10-5-2004; Ord. No. 2730, § 6, 4-26-2005)

Scott De Leon
Director of Public Works

From: Thomas Jordan <thomas.jordan@sv-nsn.gov>
Sent: Monday, June 5, 2023 12:34 PM
To: Scott DeLeon <Scott.DeLeon@lakecountycal.gov>
Subject: [EXTERNAL] Red Hills Tentative Subdivision Map Approval Conditions

Scott, good afternoon. I trust you and family had a pleasant weekend.

I am writing with respect to the conditions attached to the Planning Commission's approval of the tentative subdivision map for the RR section of the Tribe's Red Hills property.

One of the conditions pertains to Red Hills Road. Unfortunately, there was no further clarification of what this condition requires, and frankly it makes no sense with respect to a subdivision map. CDD staff suggested I reach out to you to understand more clearly this condition.

I have til Thursday to decide if I need to appeal this condition; hence, a timely response is much appreciated.

Thank you in advance for your consideration.

Tom Jordan
Economic Development Director
Scotts Valley Band of Pomo Indians

Eric Porter

From: Scott DeLeon
Sent: Wednesday, June 14, 2023 11:56 AM
To: Eric Porter; Vance Ricks; John Everett; Cara Salmon; Christina Gearhart; Lori Baca; Paul Bleuss; Wink, Mike@CALFIRE; ROBERTSON, JESSE GRAHAM@DOT
Cc: Mireya Turner
Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant
Attachments: RE: Red Hills Tentative Subdivision Map Approval Conditions

Here is the email I sent to Mr. Jordan. In summary, the County Code requires half-width improvements to a road that abuts property that is being divided. The only entities that can provide relief from that requirement are the Planning Commission, or the Board. Due to its zoning designation, the property does meet the guidelines for a deferral of improvements, however I don't think the addition of 9 new housing units is insignificant, and I don't support a deferral. I also think his estimate of \$2.8 million is inaccurate. The latest Pavement Management Update performed by our consultant uses a price of \$60/square yard for road reconstruction. There are 9 square feet in a square yard, which yields \$6.67 per square foot for construction costs, so his price-per-square-foot of \$400 is not reasonable. I don't deny that road improvement costs are expensive, but they aren't to the level he's suggesting.

Scott De Leon
Director of Public Works

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Subject: RE: RFR - Appeal (AB 23-01) of Parcel Map (PM 22-02), Scotts Valley Energy Corp / Band of Pomo Indians, Tom Jordan, Appellant

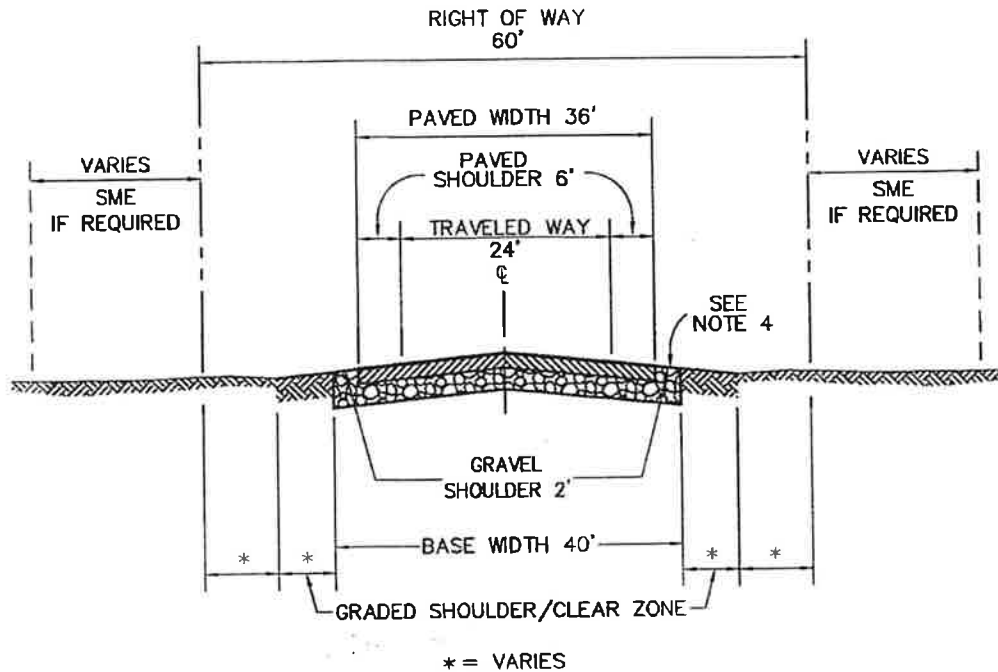
Vance et al,

Please see attached. The 'justification' for the appeal is in the form of an email within Exhibit A3 attached.

Thanks,
Eric Porter

From: Vance Ricks <Vance.Ricks@lakecountycalifornia.gov>
Sent: Wednesday, June 14, 2023 10:51 AM
To: Eric Porter <Eric.Porter@lakecountycalifornia.gov>; Scott DeLeon <Scott.DeLeon@lakecountycalifornia.gov>; John Everett <John.Everett@lakecountycalifornia.gov>; Cara Salmon <cara.salmon@lakecountycalifornia.gov>; Christina Gearhart <Christina.Gearhart@lakecountycalifornia.gov>; Lori Baca <Lori.Baca@lakecountycalifornia.gov>; Paul Bleuss <pbleuss@kelseyvillefire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>

PLOT DATE: 27-MAY-04



LEGEND:

| | |
|--|----------------------------|
| | PAVEMENT |
| | BASE |
| | COMPACTED EARTH |
| | SLOPE MAINTENANCE EASEMENT |

NOTES:

1. PARKING MAY BE PROHIBITED. PAVED SHOULDER TO SERVE AS BIKEWAY AND WALKWAY.
2. GRADED SHOULDER MAY BE USED FOR ADDITIONAL CLEAR ZONE IF REQUIRED.
3. RIGHT OF WAY OUTSIDE OF CLEAR ZONE MAY BE USED FOR ROADSIDE FACILITIES SUCH AS TURNOUTS, SIGNS, ROADSIDE VEGETATION, PUBLIC UTILITIES AND DRAINAGE FACILITIES.
4. SEE LAKE COUNTY STD. NO. 201 FOR TYPICAL SHOULDER CROSS SECTIONS.
5. ADDITIONAL PAVEMENT WIDTH MAY BE REQUIRED FOR LEFT-TURN LANES, MEDIANS, OR PASSING LANES.

SHEET 1 OF 5

DRAWING FILE NAME: CLFS1\DD2PRO\31860\DWG\LAKE-200.DWG



**MINOR ARTERIAL
TYPICAL ROAD SECTION**

**STD. NO.
200-A**

SCALE: NONE

DRAWN: CLG

CHK: JLW, TEM

APPVD: GRS

DATE: JUNE 2004