



COUNTY OF LAKE  
COMMUNITY DEVELOPMENT DEPARTMENT  
255 N. Forbes Street – 3<sup>rd</sup> Floor  
Lakeport, California 95453  
Planning • Building • Code Enforcement  
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Item 6b  
9:20 AM  
October 10, 2024

## STAFF REPORT

**TO:** Planning Commission

**FROM:** Mireya G. Turner, Community Development Department  
Michelle, Irace, Principal Planner  
Prepared by Max Stockton, Assistant Planner

**DATE:** October 10, 2024

**SUBJECT:** Consideration of tentative Parcel Map (PM 24-01) to divide one parcel into two parcels Parcel 4 of the Parcel Map from August 1975 and separated by Park Way, Lakeport. Applicants: Michael and Tamara Lucchetti; Located at 3636 and 3790 Hill Road, Lakeport (APN(s): 015-003-02 and 015-003-05).

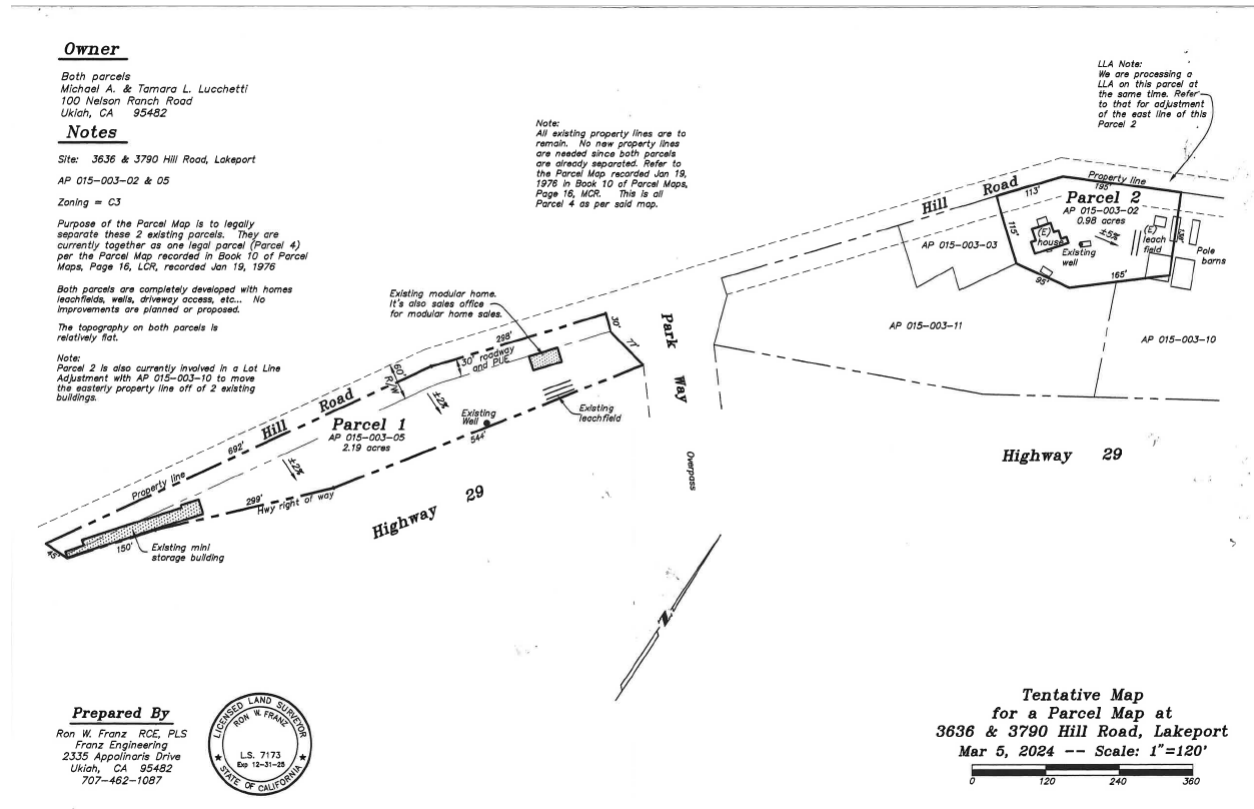
### ATTACHMENTS:

1. Vicinity Map
2. Tentative Parcel Map Draft
3. Conditions of Approval
4. Agency Comments

### EXECUTIVE SUMMARY

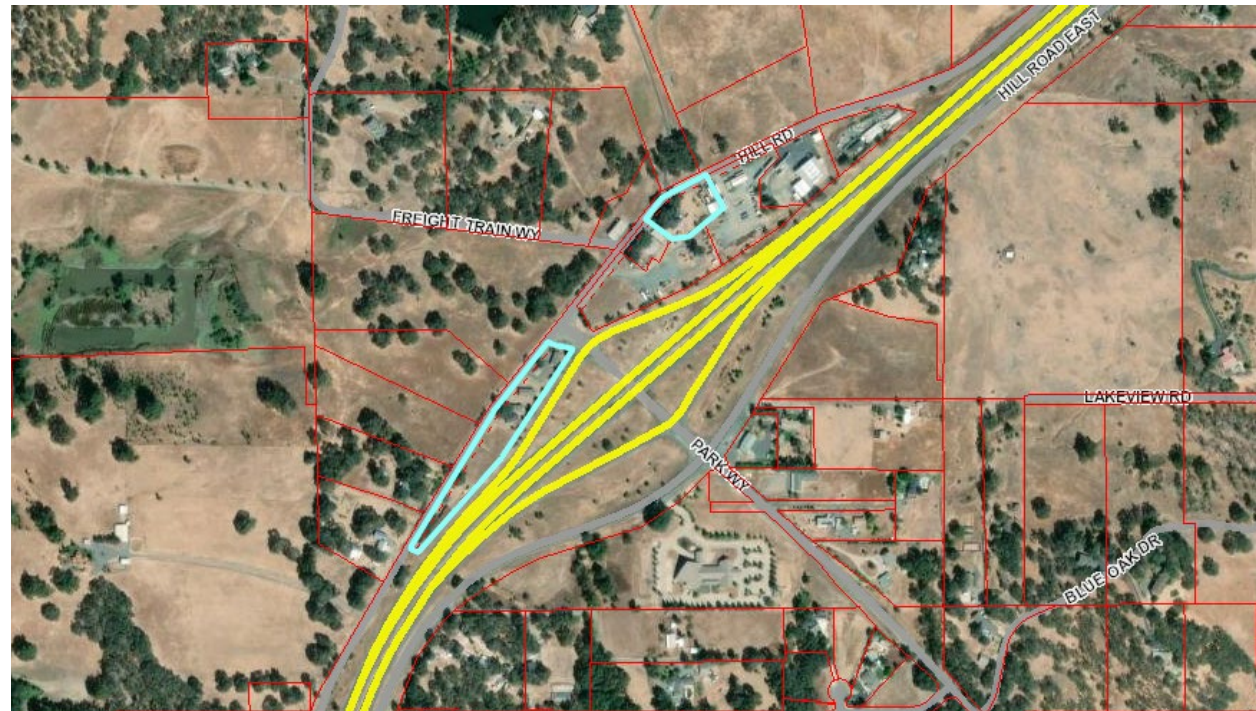
On April 23, 2024, the applicants Michael and Tamara Lucchetti submitted an application for a two (2) parcel land division. The existing 2.84-acre parcel is currently recognized as one legal parcel with two separate APNs (015-003-02; and 05) due to the parcel being bifurcated by Park Way. The proposed Parcel Map would formally separate the parcel into two legal parcels. Resulting Parcel 1 would be 2.19 acres and resulting Parcel 2 would be 0.98 acres. Both parcels are zoned Service Commercial, Scenic Combining District "C3-SC". Currently, the parcel is developed a pre-existing groundwater well and septic system on each proposed parcel. The proposed Parcel 1 has an existing mini storage building and mobile home sales with multiple models and an office with a driveway that surrounds the office and is accessed via Hill Road. The proposed Parcel 2 has an existing home and a driveway that is accessible via Hill Road. The proposed Parcel Map does not include any development or changes in land use.

**FIGURE 1 – TENTATIVE PARCEL MAP**



Source: Provided by Applicant

**FIGURE 2 – VICINITY MAP**



Source: Lake County GIS Portal

## PROJECT DESCRIPTION

<u>Project Title:</u>	Lucchetti Parcel Map
<u>Permit Numbers:</u>	Categorical Exemption (CE 24-10) Parcel Map (PM 24-01)
<u>Lead Agency:</u>	County of Lake Community Development Department 255 North Forbes Street Lakeport, CA 95453
<u>Applicant Name &amp; Address:</u>	Michael and Tamara Lucchetti 100 Nelson Ranch Rd. Ukiah, Ca 95482
<u>Property Owner:</u>	Michael and Tamara Lucchetti
<u>Project Location:</u>	3636 and 3790 Hill Road Lakeport, CA 95453
<u>Parcel Number(s) (APN):</u>	015-003-02 and 015-003-05
<u>Parcel Size:</u>	+3.17 acres
<u>General Plan Designation:</u>	"Cs" – Service Commercial
<u>Zoning District(s):</u>	"C3-SC" – Service Commercial, Scenic Combining District
<u>Flood Zone:</u>	"X" - Areas determined to be outside the 0.2% annual chance (500-year) floodplain

### Existing Features:

The property is situated in the relatively flat region of Lakeport, along Highway 29. Currently, the parcel is developed a pre-existing groundwater well and septic system on each proposed parcel. The proposed Parcel 1 has an existing mini storage building and mobile home sales with multiple models and an office with a driveway that surrounds the office and is accessed via Hill Road. The proposed Parcel 2 has an existing home and a driveway that is accessible via Hill Road. The proposed project is situated along the Scenic Corridor of Highway 29.

## PROJECT SETTING

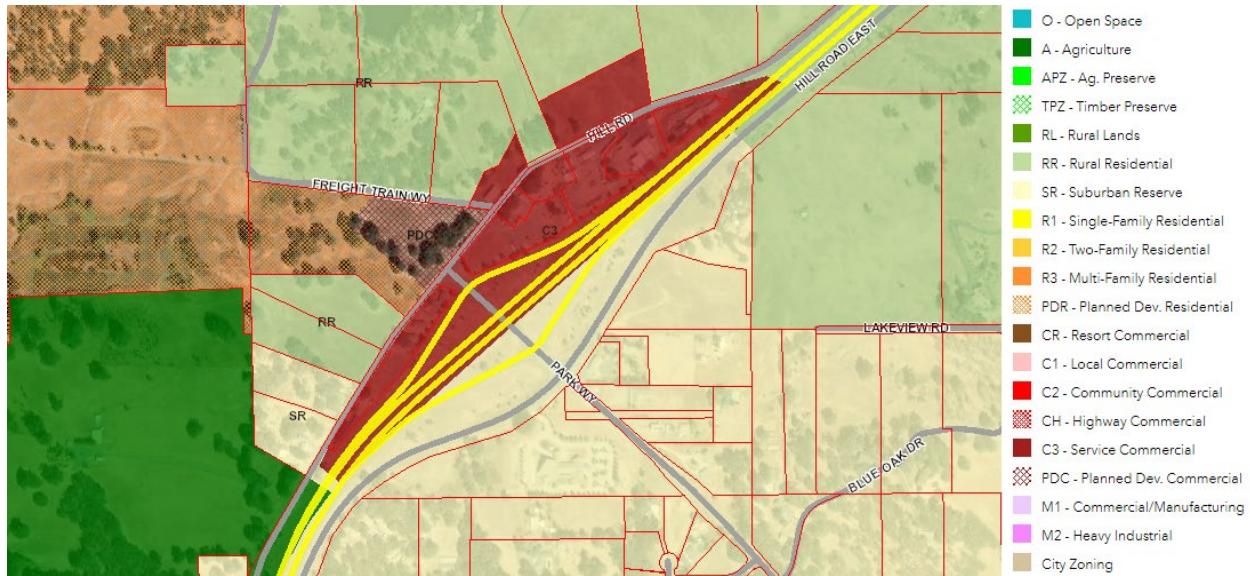
### Surrounding Zoning and Uses

- North: Rural Residential - Community Commercial – Planned Development Residential – Planned Development Residential - Waterway Combining District – Scenic Combining District – Design Review, Residential and Undeveloped
- East: Community Commercial – Suburban Reserve - Scenic Combining District – Waterway Combining, Residential and Undeveloped

South: Agriculture – Suburban Reserve – Scenic Combining - Wetland - Waterway  
Combining District – Scenic Combining District, Residential, Highway 29 and  
Undeveloped

West: Rural Residential – Planned Development Commercial – Planned Development  
Residential – Community Commercial – Design Review – Scenic Combining  
Floodway Fringe - Waterway Combining District – Special lot size/density,  
Residential, a church, Highway 29 and Undeveloped

**FIGURE 2 – ZONING MAP**



Source: Lake County GIS Portal

## PROJECT ANALYSIS

### Lakeport Area Plan

The Lakeport Area Plan has several goals and policies that relate to this proposal. These goals and policies, and the responses to each, are as follows:

- 3.4.1.a Encourage land use planning decisions that provide for efficient and cost-effective development of public services in the planning area.

Response: A well and septic are already established on each of the proposed lots, providing cost-effective future development on each proposed site. The business is already established on the southern parcel with Manufactured Home sales and a storage facility.

### Lake County Code Conformity – Chapter 17 – Subdivision Regulations

County Code section 17.3 authorizes the Planning Commission to act as the review authority for land divisions, including this parcel map application. The following regulations must be met in order to divide land within Lake County:

#### Sec. 17-6. - Tentative Map

The applicant has met the submittal requirements by providing a Tentative Map that was prepared by Franz Engineering, a professional licensed land survey firm located in Ukiah, CA.

#### Sec. 17-7. - Statements

The statements being referred to within this subsection of the County Code refers to statements that accompany maps that are specifically intended to divide land. The applicant has met the submittal requirements graphically and with support text.

Sec. 17-22. - Dedications.

The applicant is not proposing any dedications. The Lake County Surveyor and Public Works departments have reviewed this parcel map, and have not indicated that any right-of-way dedications are needed.

Sec. 17-23. - Lots.

The parcels proposed presently meet all requirements in the C3 Service Commercial District zone in terms of size, shape, width-to-depth ratio, and the ability for each parcel to be served with vital utilities (water, septic, power and roads). Setbacks to the existing legal non-conforming dwelling and current commercial uses are met by this proposed land division, and the lots meet the minimum size requirements for lots in the C3 zoning district.

Sec. 17-26. – Specific Street Design.

Sec. 26.5 “Where any proposed lots front on a state freeway, state parkway or state highway, or county arterial street, the subdivider shall dedicate and improve a service to provide access to such lots, unless such service road already exists as part of a freeway or parkway.” The average cross slope for the property is 6.2%. The parcel map does show a driveway access for both of the parcels.

Sec. 17-28. - Improvements.

The parcel map submitted has shown no improvements to hill road. Lake County Public Works, Road Department has provided comments indicating that there is already a bike lane adjacent to this site, and that no further improvements are necessary.

**Lake County Code Chapter 21, Zoning Ordinance,**

**Article 20 – C3 Service Commercial District**

Purpose: To provide areas suitable for heavy retail and service commercial uses which do not specialize in pedestrian traffic and are more appropriately located away from the central business district. The following regulations shall apply in all “C3” districts and all uses shall be subject to development review as set forth in Article 56.

Response: The applicant is not proposing any new development with this land division. The northern proposed parcel already has a single-family residence, the residence is non-conforming use in C3 zoning, but the dwelling has existed prior to 1993; while, the southern parcel complies with its existing mobile home sales and storage facility, which is an allowed use.

**AGENCY COMMENTS**

The following agencies submitted comments on this project. Comments received are included in Attachment 4, and have been incorporated into conditions of approval as applicable (see Attachment 2):

- Lake County Assessor
- Lake County Department of Public Works (Roads)
- Lake County Environmental Health

- Lake County Special Districts
- Lake County Surveyor
- Pacific Gas and Electric
- Cal Fire

## **TRIBAL COMMENTS**

AB 52 Tribal consultation is not required for this project. However, a courtesy notification of the Project was sent to Big Valley Rancheria, Cortina Rancheria, Elem Colony, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley Rancheria, Robinson Rancheria, Scotts Valley Band of Pomo Indians, Habematolel Pomo of Upper Lake Tribe, and Yocha Dehe Wintun Nation on May 10, 2024. No comments for this project were received.

## **ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of land use actions. The project is categorically exempt from further CEQA evaluation per CEQA exemption section 15315, "small land divisions", as it includes the division of one parcel into two within a commercially-zoned developed area; on a site lacking sensitive biological resources; will require no variances or exceptions; has all services and access readily available; has not been divided within the last two years, and does not have an average slope greater than 20 percent. Additionally, no development or ground disturbance is proposed.

## **FINDINGS FOR APPROVAL**

Per the County's Subdivision Ordinance, the Planning Commission shall make a recommendation of the parcel map to the Board of Supervisors for final approval. According to the 2016 update of the Subdivision Map Act, three findings must be made in order to approve a parcel map.

1. Section 66474.02(a)(1) requires that "a finding supported by substantial evidence in the record that the design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resource Code (PRC)."

Response: The subject site is adjacent to Hill Road, a paved two-lane County-maintained collector road. The Lakeport Fire Station is located about three miles to the south of the subject site. The terrain in the area is generally flat, and there are no obvious conditions that would hinder the ability of emergency services providing aid to either property once the Parcel Map is recorded.

2. Section 66474.02(a)(2) requires that a finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities: (A) A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that are monitored and funded by a county or other public entity. (B) The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

Response: The site is served by the Lakeport Fire Protection District. The site is flat and is easily accessed from Hill Road. This project was routed to the Lakeport Fire Protection District as well as to CalFire; neither agency had adverse comments pertaining to this proposed land division.

3. Section 66474.02(a)(3) requires that “a finding that to the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for the fire equipment access adopted pursuant to Section 4290 of the Public Resource Code and any applicable local ordinance.

Response: The proposed land division would create two separate properties from the already divided parcels identified as portions of parcel 4. The requested Parcel 1 and Parcel 2 already have their own individual driveways via Hill Road.

## **RECOMMENDATIONS**

Staff recommends that the Planning Commission take the following actions:

A. Adopt a Categorical Exemption for Parcel Map, PM 24-01 with the following findings:

1. The project sites are already developed and contain no sensitive biological resources.
2. There is no new development proposed or contemplated by the subdivider.
3. The project will not result in a substantial environmental impact based on the lack of additional development proposed.

B. Approve Parcel Map PM 24-01 with the following findings:

1. This land division is consistent with the Lake County General Plan, Lake County Zoning Ordinance, Chapter 17 (Subdivisions) of the Lake County Code, and the Lakeport Area Plan.
2. This land division is consistent with the State of California Subdivision Map Act.
3. The parcel map is compatible and consistent with neighboring land uses.
4. The project will not result in any environmental impacts since no development is proposed with this land division.

### **Sample Motions:**

#### **Categorical Exemption (CE 24-10)**

I move that the Planning Commission find the Parcel Map (PM 24-01) categorically exempt from CEQA, approving CE 24-10, in accordance with CEQA Guidelines Section 15315, “small land divisions”, with the findings listed in the Staff Report October 10, 2024.

#### **Parcel Map (PM 24-01)**

I move that the Planning Commission recommend that the Board of Supervisors find that the Tentative Parcel Map, PM 24-01 as applied for by Michael and Tamara Lucchetti on property located at 3636 and 3790 Hill Road, Lakeport, and is APN(s): 015-003-02 and 015-003-05 is in conformance with the provisions of the Subdivision Map Act and Chapter 17 of the Lake County Code and the

Lake County Zoning Ordinance, and upon that basis approve said map subject to the conditions and with the findings listed in the Staff Report October 10, 2024.

*NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh day following the Planning Commission's decision on this matter.*