



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

May 13, 2022

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS 22-19)

1. **Project Title:** Nice Market - Rezone
2. **Permit:** Initial Study, IS 22-19 for a rezone of the Nice Market
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Supervisor District:** District Three (3)
5. **Contact Person:** Eric Porter
6. **Project Location(s):** 3774 & 3794 E. Highway 20, Nice, CA 95464
7. **Parcel Numbers / Sizes:** 032-181-02 (0.41 acres), 032-181-03 (0.23 acres)
8. **Applicant's Name/Address:** Daniel Sosa
5657 Wilshire Blvd., suite 272
Los Angeles, California 90036
9. **Property Owner:** Nice Market Inc. / Marlane Alexander, CEO
10. **General Plan Designation:** Community Commercial
11. **Zoning (Existing):** "CH-DR" Highway Commercial
12. **Zoning (Proposed):** "C2-DR" Service Commercial
13. **Flood Zone:** "X"
14. **Natural Hazards:** Wildland Fire Hazard Area
15. **Waterways:** None
16. **Fire District:** Northshore Fire Protection District
17. **School District:** Upper Lake Unified School District
18. **Slope:** Mostly flat
19. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

Parcel Number	Current Zoning Designation	Proposed Zoning Designation
032-181-02 and 03	"CH-DR" <i>Highway Commercial – Design Review</i>	"C2-DR" <i>Service Commercial – Design Review</i>

Parcel Number	Current General Plan Designation	Proposed General Plan Designation
032-181-02 and 03	“CC” <i>Community Commercial</i>	Same <i>(No Change)</i>

Existing Access:

- Existing access to the Nice Market is from Manzanita Drive, Hudson Avenue, and Highway 20. No new accesses are proposed.

Existing and Proposed Development

- The site is currently developed with two buildings used as a market and as a café.

20. Surrounding Land Uses and Setting: Briefly describe the project’s surroundings:

- North: Vacant lot zoned C2-DR.
- South: “R1” Single-Family Residential containing two vacant lots.
- East: “R1” Single-Family Residential containing single family dwellings.
- West: “CH-DR” Highway Commercial – Design Review; smaller lots with one containing a dwelling.

ZONING



Source Lake County GIS Mapping

Other public agencies whose approval is required (e.g., Permits, financing approval, or participation agreement.)

Lake County Community Development Department
 Lake County Department of Environmental Health
 Lake County Department of Public Works
 Lake County Department of Public Services
 Northshore Fire Department
 Lake County Sheriff's Department
 California Department of Forestry & Fire Protection (CalFire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Transportation (CalTrans)

21. 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.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the project was sent to area Tribes on May 6, 2022 for the required review period (AB 52 and SB 18). No ground disturbance is proposed at this time for the proposed Rezone. The Community Development received the following tribal agency concerns/comments:

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" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☒ **I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.**
- ☐ 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.

- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ 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.
- ☐ 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.

Initial Study Prepared By:
Eric Porter



Date: 5-13-2022

SIGNATURE

Mary Darby - Director
Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and

briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

KEY: 1 = Potentially Significant Impact
2 = Less Than Significant with Mitigation Incorporation
3 = Less Than Significant Impact
4 = No Impact

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
I. AESTHETICS						
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		The site is already developed, and no new development is proposed. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	The proposed rezone does not propose any physical changes to the site, and would not substantially damage scenic resources. No Impact.	1, 2, 3, 4, 5, 6, 7
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		The site is already developed, and no new development is proposed. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		The rezoning proposed does not have any associated site development, and is not anticipated to create additional light or glare in the immediate future. There is no proposed night-time work that would involve lighting. All lighting shall be directed downwards onto the project site and not onto adjacent roads or properties. Any future lighting must meet the lighting recommendations found in darksky.org, and with the provisions of section 41.8 of the Lake County Zoning Ordinance. Less Than Significant Impact	1, 2, 3, 4, 5, 6
II. AGRICULTURE AND FORESTRY RESOURCES						
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i>						
<i>Would the project:</i>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	The site is commercially zoned and developed. No loss or conversion of important farmlands would result. No Impact	1, 2, 3, 5, 8, 9

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	The parcel and the surrounding parcels are not within a Williamson Act contract, nor would it conflict with existing zoning. No Impact	1, 2, 3, 5, 6, 10
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	The proposed project is consistent with the Lake County General Plan, Upper Lake-Nice Area Plan and the Lake County Zoning Ordinance. The proposed project would not result in the rezone of forest land, timber land, or Timberland Production lands. No Impact	1, 2, 3, 4, 5
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	The project would not result in the loss or conversion of forest land to a non-forest use. No Impact	1, 2, 3, 5, 6, 7
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X	As proposed, this project would not induce changes that would result in its conversion to non-agricultural or non-forest use. No Impact	1, 2, 3, 5, 6, 7, 10
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?				X	The project would not conflict with and/or obstruct implementation of any adopted Air Quality Plan. No further site development is proposed. No Impact	1, 2, 3, 5, 11
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard?				X	The Lake County Air Basin is designated as an air attainment area. No criteria pollutants for the project region have been exceeded since no new development is being proposed for this rezoning project. No Impact	1, 2, 3, 11
c) Expose sensitive receptors to substantial pollutant concentrations?				X	This project would not expose sensitive receptors to substantial pollutant concentrations since no ground disturbance is proposed. No Impact	1, 2, 3, 4, 11
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?			X		This project would not directly result in other emissions adversely affecting a substantial number of people. The use intended is retail cannabis sales; trip characteristics and subsequent vehicle emissions are similar to the current market use, and no significant increase in vehicle exhaust is projected. Less Than Significant Impact	1, 2, 3, 4, 11, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		The site is fully developed as a market, café and asphalt. No habitats are on the site. Less than Significant Impact	1, 2, 3, 4, 5, 6, 13, 14
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		No watercourses have been identified on the parcel. The project is not expected to have a substantial adverse effect on any riparian habitat or other sensitive natural community, since no new development is proposed or needed. Less than Significant Impact	1, 2, 3, 5, 6, 15
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	No wetlands have been identified on the parcel. No Impact	1, 2, 3, 5, 6, 15
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		There are no recorded wildlife corridors or native wildlife nursery sites on the commercially-developed property. Less than Significant Impact	1, 2, 3, 5, 6,
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	The project would not conflict with any local policies or ordinances protecting biological resources. No Impact	1, 2, 3, 5, 6
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	The project would not conflict with any established habitat conservation plan, natural community conservation plan, or any other adopted plans for this area. No Impact	1, 2, 3, 5, 6
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			X		No ground disturbance is currently being proposed, and the site is fully developed with two buildings and parking areas. Less than Significant Impact	1, 2, 3, 5, 6, 16
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X		No ground disturbance is being proposed in conjunction with this rezone project. Less Than Significant Impact	1, 2, 3, 5, 6, 16

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Disturb any human remains, including those interred outside of formal cemeteries?			X		Disturbance of human remains is not anticipated because no site development is planned; no ground disturbance is proposed, and the site is already fully developed. Less Than Significant Impact	1, 2, 3, 5, 6, 16
VI. ENERGY <i>Would the project:</i>						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X		The change in allowable uses may have some change in the overall potential energy usage of the parcel; however, the Rezone itself will not require any new energy consumption onsite. Less Than Significant Impact	1, 2, 3, 5, 6
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	The proposed Rezone would not conflict with or obstruct an energy plan. No Impact	1, 2, 3, 5, 6
VII. GEOLOGY AND SOILS <i>Would the project:</i>						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?			X		<u>Earthquake Faults</u> The project site is not within an Earthquake Fault Zone as established by the California Geological Survey in accordance with the Alquist-Priolo Earthquake Fault Zoning Act. The proposed project would not expose people or structures to substantial adverse effects due to earthquakes. <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All proposed construction is required to be built consistent with Current Seismic Safety construction standards. <u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel soil is considered generally stable. Any future development would be developed in compliance with all applicable Uniform Building Code regulations designed to ensure seismic safety. Less Than Significant Impact	1, 2, 3, 5, 6, 8, 17, 18
b) Result in substantial soil erosion or the loss of topsoil?			X		The proposed project would not result in a substantial soil erosion and/or the loss of topsoil since the lots are fully developed. Less Than Significant. Impact	1, 2, 3, 5, 6, 8
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		The site is flat and fully developed. There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project. Less Than Significant Impact	1, 2, 3, 5, 6, 8, 17, 22

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is considered “generally stable”. The shrink-swell potential for the project soils is moderate and there should be a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project. There would be no risk to life or property. Less Than Significant Impact	1, 2, 3, 5, 6, 8
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X		The site is served by existing public sewer and water. There are no known capacity issues at this location for sewer or water. Less Than Significant Impact	1, 2, 3, 5, 6, 19
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	No ground disturbance is proposed at this time. No impact to paleontological resources or geologic features will result from this rezone. No Impact	1, 2, 3, 5, 6, 16
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		GHG emissions typically come from construction activities that include the use of construction equipment, grading landscaping, haul trucks, worker commute vehicles, and stationary equipment (such as generators, if any). Since the site is already developed, and since no new development is proposed, this rezone will not directly result in any new GHG emissions. Less Than Significant Impact	1, 2, 3, 5, 6, 11, 30
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. No Impact	1, 2, 3, 5, 6, 11
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		The proposed project would not create a significant hazard to the public or the environment. The intended use is retail cannabis sales; the current use is as a market, and a café. The amount of hazardous materials being stored on site is little or none, and no risk of exposure to hazardous chemicals is evident. Less Than Significant Impact	1, 2, 3, 5, 6, 10, 23
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	No construction is proposed, so no potential hazards are associated with this rezoning project. No Impact	1, 2, 3, 5, 6, 10, 23
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	The proposed project is not located within one-quarter mile of known and/or existing school. No Impact	1, 2, 3, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	Property is not listed as a site containing hazardous materials in the database maintained by the Environmental Protection Agency (EPA). No Impact	1, 2, 3, 4, 5, 6, 21, 22, 23
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	The project is not located within an Airport Land Use Plan. No Impact	1, 2, 3, 4, 5, 6, 24
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	The project would not impair or interfere with an adopted emergency response or evacuation plan. The applicant shall adhere to all applicable federal, state and local emergency access requirements. No Impact	1, 2, 3, 4, 5, 6, 20
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The project site is located within a Wildland High Fire Area (SRA – State Responsibility Area). The project will not increase the public’s risk to wildland fire. The applicant will adhere to all local, state and federal fire requirements regarding wildland fire hazards. The permit holder shall operate in full compliance with fire safety rules and regulations associated with commercial development located in a High Fire Area. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 25, 27
X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		The proposed project would not violate any water quality or waste discharge requirements or otherwise substantially degrade surface or ground water quality. All future uses of the property shall comply with Section 41.10 of the Lake County Zoning Ordinance, governing the disposal of liquid, solid, and hazardous wastes. Less Than Significant Impact	1, 2, 3, 5, 6, 32, 33
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X	No site disturbance or other construction is proposed. No groundwater will be used in direct relation to this rezoning. No Impact	1, 2, 3, 5, 6, 30, 31
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i) result in substantial erosion or siltation on-site or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in				X	No development is being proposed in conjunction with the project. Future development is required to adhere to all applicable federal, state and local requirements/regulations related to stormwater, runoff, and erosion. No Impact	1, 2, 3, 5, 6, 7, 20, 28

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?						
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		The project site is not located in an area of potential inundation by seiche or tsunami. The parcel is not located within a flood zone. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 20, 28
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X	The project would not conflict with or obstruct any water quality or water management plans. No Impact	1, 2, 3, 5, 6, 21
XI. LAND USE AND PLANNING <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community. No Impact	1, 2, 3, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		The proposed Rezone would not conflict with any County plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Less Than Significant Impact	1, 2, 3, 5, 6
XII. MINERAL RESOURCES <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The Lake County Aggregate Resource Management Plan does not identify a source of minerals at this site. No Impact	1, 3, 4, 5, 6, 29
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The County of Lake's General Plan, the Upper Lake-Nice Area Plan, nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. No Impact	1, 2, 3, 5, 6, 29
XIII. NOISE <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X		The proposed project will not generate an increase in ambient noise levels in the vicinity of the project. Any future development and/or improvements may increase short-term and/or long term increases in ambient noises depending on the type of development. The permit holder shall adhere to all requirements and/or standards outlined in the Lake County Zoning Ordinance. Less Than Significant Impact	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Generation of excessive groundborne vibration or groundborne noise levels?				X	The project is a rezone that will not create unusual groundborne vibration or noise. No Impact	1, 2, 3, 5, 6
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	Project is not located within an airport land use plan or within two (2) miles of a public airport or private airstrip. No Impact	1, 2, 3, 5, 6, 24
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The proposed project is not anticipated to induce population growth. No Impact	1, 2, 3, 5, 6
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No people or housing would be displaced as a result of the project. No Impact	1, 2, 3, 5, 6
XV. PUBLIC SERVICES <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?				X	The proposed project is limited to rezoning the property, and does not necessitate the need for new or altered government facilities. The applicant has adequate emergency service through the Lake County Sheriff's Department, and the Northshore Fire Protection District. No Impact	1, 2, 3, 5, 6
XVI. RECREATION <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	The project will not have any impacts on existing parks or other recreational facilities. No Impact	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X	The proposed project does not include recreational facilities nor require the construction or expansion of recreational facilities. No Impact	1, 2, 3, 5, 6
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X	The proposed project should not have or create any conflicts with a program plan, ordinance or policy addressing the circulation system, including but not limited to transit, roadway, bicycle and/or pedestrian facilities since no site development is occurring. No Impact	1, 2, 3, 4, 5, 6, 30, 31
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		The proposed project would not be in conflict and/or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). The project is not expected to generate a change in vehicle trips since the site currently contains a market and a café, and will contain a similar retail use selling commercial cannabis. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 30, 31
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	The proposed project does not include any site improvements. No Impact	1, 2, 3, 4, 5, 6, 32
d) Result in inadequate emergency access?				X	The proposed project will not impact existing emergency access. No Impact	1, 2, 3, 4, 5, 6, 20, 32
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X		Notification of the project was sent to local tribes. No consultation requests were received. Less Than Significant Impact	1, 2, 3, 5, 6, 16
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X		No site disturbance is proposed, so no impacts to affected area tribes will result from this rezone. Less Than Significant Impact	1, 2, 3, 5, 6, 16
XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>						
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural				X	The proposed project does not require the relocation and/or construction of new infrastructure. No Impact	1, 2, 3, 5, 6, 19

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?						
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		A Rezone and General Plan Designation change will not result in a change in water demand. Less Than Significant Impact	1, 2, 3, 5, 6
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		No wastewater treatment infrastructure would be required as a result of the proposed rezoning since no development proposals are under consideration. Less Than Significant Impact	1, 2, 3, 5, 6, 21
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		The proposed project will not generate solid waste; the project is limited to a rezone / general plan amendment. Less Than Significant Impact	1, 2, 3, 5, 6, 26, 32
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All federal, state, and local requirements related to solid waste will apply to this project and all future uses. Less Than Significant Impact	1, 2, 3, 5, 6, 26, 32
XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X		The project would impact emergency response routes or any emergency response plan. Less Than Significant Impact	1, 2, 3, 5, 6, 25, 27
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X	The project would not exacerbate wildfire risks. The applicant will adhere to all federal, state and local fire requirements/regulations, including Chapter 13 of the Lake County Code. No Impact	1, 2, 3, 5, 6, 25, 27
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X	No infrastructure installation or improvement is required as a result of this project. No Impact	1, 2, 3, 5, 6
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X	The proposed project is located within flood hazard Zone X (<1% of being inundated in a base flood event in a given year). All future development shall adhere to all Federal, State and local agency requirements. The risk of flooding, landslides, slope instability, or drainage changes would not be increased due to this project. No Impact	1, 2, 3, 5, 6, 28, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		The Rezone would not directly result in a significant change in use of the parcel. The proposed project is not anticipated to significantly impact and/or substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Less Than Significant Impact	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X		No potentially significant impacts have been identified, nor are the identified less than significant impacts anticipated to result in cumulatively considerable environmental impacts, even when considered in combination with the impacts of other past, present and reasonably foreseeable future projects. Less Than Significant Impact	ALL
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X		The proposed project will not have the potential to result in environmental effects which would cause significant adverse indirect or direct effects on human beings. Less Than Significant Impact	ALL

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County Zoning Ordinance
3. Upper Lake - Nice Area Plan
4. Site Visit on May 9, 2022
5. County of Lake Rezone Application and Supplemental Materials
6. U.S.G.S. Topographic Maps
7. California Department of Transportation:
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm
8. U.S.D.A. Lake County Soil Survey
9. Important Farmland Map <https://maps.conservation.ca.gov/agriculture/>
10. Lake County Department of Agriculture
11. Lake County Air Quality Management District
12. Lake County Serpentine Soil Mapping
13. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
14. CNDDDB Data Use Guidelines
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27285>)
15. U.S. Fish and Wildlife Service National Wetlands Inventory
16. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Lake County Environmental Health Department
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Natural Hazard database
23. Hazardous Waste and Substances Sites List: www.envirostor.dtsc.ca.gov/public
24. Lake County Airport Land Use Compatibility Plan, adopted 1992
25. California Department of Forestry and Fire Protection - Fire Hazard Mapping
26. National Pollution Discharge Elimination System (NPDES)
27. Northshore Fire Protection District
28. FEMA Flood Hazard Maps
29. Lake County Aggregate Resource Management Plan
30. 2010 Lake County Regional Transportation Plan, Dow & Associates, October 2010
31. California Department of Transportation (CALTRANS)
32. CalRecycle Solid Waste Information System
<http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>
33. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
34. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990