



## COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

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July 22, 2021

### STAFF REPORT

**TO:** Planning Commission

**FROM:** Carol Huchingson, County Administrative Officer  
David Boesch, Managing Consultant

Prepared by Eric Porter, Associate Planner

**DATE:** July 22, 2021

**SUBJECT:** Langtry Farms Parcel Map, PM 20-23; Categorical Exemption to CEQA  
Supervisory District 5

**ATTACHMENTS:**

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

#### **I. EXECUTIVE SUMMARY**

On October 21, 2020, the applicant Langtry Farms (Guenoc Winery) submitted an application for a three (3) parcel land division. The 406.69 acre property would be divided into three parcels. Parcel X would be 68.61 acres; Parcel Y would be 107.94 acres, and Parcel Z would be 230.14 acres. The property currently contains a vineyard; one single family dwelling, several small sheds, a well for potable water, and several internal driveway. No plans for development are proposed by the applicant, and the site has been significantly disturbed over the past several decades by the use of the property as a vineyard. A private road, 'Guenoc Ranch Road', travels through the site and intersects with Guenoc Valley Road, eventually connecting with Butts Canyon Road (public road).

#### **II. PROJECT DESCRIPTION**

Applicant / Owner: Langtry Farms / Amanda Bradshaw  
22000 Butts Canyon Road, Middletown, CA 95461

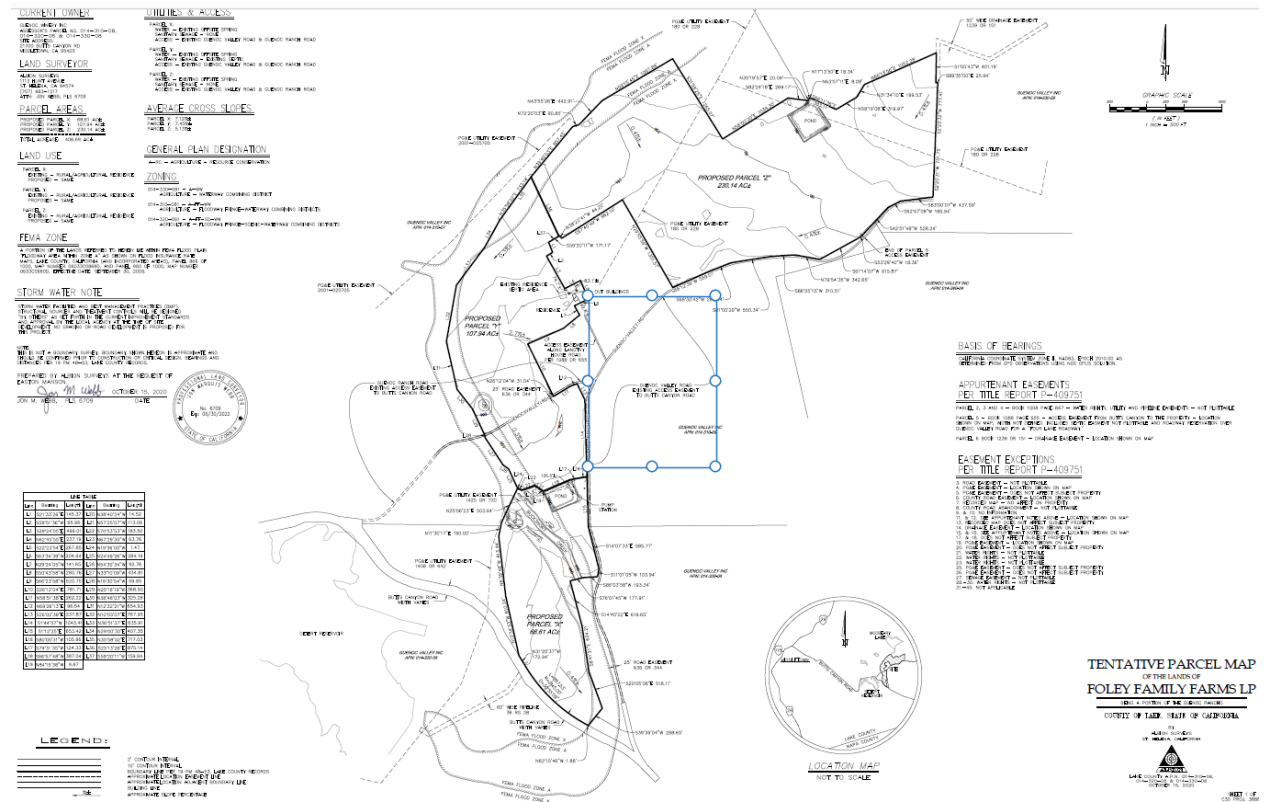
Location: 21700 Butts Canyon Road, Middletown

APN: 014-310-08, 014-320-06 and 014-330-08

General Plan: Agriculture; Resource Conservation

**Zoning:** 014-310-08: "A-WW-FF" – Agriculture – Waterway – Floodway Fringe  
 014-320-06: "A-FF-SC-WW" – Agriculture – Floodway Fringe – Scenic Combining – Waterway  
 014-330-08: "A-WW" – Agriculture - Waterway

**Flood Zone:** The west side of two of the parcels contains a creek; 'Bucksnot Creek', and is within the 'A' flood zone.



**III. PROJECT SETTING**

**Existing uses and improvements:** The subject site is developed with a large vineyard, one single family dwelling and several out buildings.

**Surrounding Zoning and Land Uses:**

North: "A" Agriculture and "RR" Rural Residential. Marginally developed large lots; the Agriculture-zoned lots contain vineyards.

West: "RR" Rural Residential. Marginally developed with a commercial agricultural building; 1,200 acres in size.

East and South: "RL" Rural Lands. Parcel size is 2,200 acres and is undeveloped.

Topography: Mostly flat; under 10%.

Vegetation: Vineyards, some oaks along creek; native grasses and brush adjacent to vineyards.

Water Supply: Private On-Site Wells

Sewage Disposal: On Site Septic

Fire Protection: CalFire; South Lake Fire District

#### IV. PROJECT ANALYSIS

The Lake County Subdivision Ordinance (Chapter 17 of the County Code) allows the division of land if certain regulations are met. This project is consistent with the Lake County General Plan, Zoning Ordinance, Subdivision Ordinance (Chapter 17, 'Subdivisions'), and the Middletown Area Plan for the following reasons:

**General Plan.** Chapter 3 of the Lake County General Plan lists intended densities for all categories of residential development, which is expressed as the number of dwelling units per acre in each category of residential land. The 406 acre property is categorized as Agriculture, which allows one dwelling unit per each 40 acres, and allows agricultural uses as 'by right' uses.

#### *Chapter 3, Land Use*

#### *Agriculture*

This land use category includes areas with prime farmland, vineyard soils and grazing lands, along with areas characterized by steep slopes and limited services. One purpose of this land use category is to protect the County's valuable agricultural resources and to prevent development that would preclude its future use in agriculture. These lands are actively or potentially engaged in crop production, including horticulture, tree crops, row and field crops, and related activities. Wineries and the processing of local agricultural products such as pears and walnuts are encouraged within this designation. These lands also provide important groundwater recharge functions. As watershed lands, these lands function to collect precipitation and provide for important filtering of water to improve water quality. They are generally supportive to the management of the natural infrastructure of the watersheds.

Density/Intensity: 1 DU / 40 Acres

- ***Policy LU-2.4 Agricultural/Residential Buffer***

The County shall require adequate setbacks between agricultural and non-agricultural uses. Setbacks shall vary depending on type of operation and chemicals used for spraying. Buffers shall consider several factors including building orientation, planting of trees for screening, and unique site conditions (e.g., topography). Buffers shall be provided by the new proposed development.

**Response:** *The site is surrounded by other agricultural uses on large lots. The density in this location is very low, and there are adequate setbacks already in place between the established agricultural uses and the nearest dwellings, which are not located near the subject site (other than the one on-site dwelling).*

### **Chapter 3.9 Economic Development**

- **Policy LU-6.1 Diverse Economic Base**

The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce, and by expanding its efforts to encourage industrial and non-industrial corporate development, and the development of geothermal resources.

**Response:** *The applicant has a working vineyard. The land division will not adversely affect the existing use of the property as a productive agricultural use.*

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

- **Langtry/Guenoc Valley Special Study Area** – Contains the vision for future development of the 16,000-acre Langtry property in more detail with a goal of allowing the flexibility to create an economically diverse job base, innovative resort/residential communities, agritourism opportunities and resort-related uses while at the same time protecting significant agricultural lands, open space and natural resources of the area.

The recommendations in each of the basic land uses are as follows:

- **Agriculture** – The primary areas within the Planning Area designated as Agriculture include the Guenoc region along Butts Canyon Road, large acreage properties surrounding the Middletown community area, lands between Grange Road and the Hidden Valley Lake Subdivision and properties with active Williamson Act (Agricultural Preserve) contracts. These areas typically contain prime agricultural soils (Class I-IV). Lands that have limitations, including steep slopes or non-prime soils have been designated Rural Residential or Rural Lands. Crops of Mediterranean origin, such as wine grapes, grow very well within the Planning Area on lands that are not identified as “prime.” Lands that are currently developed with vineyards or are used for grazing, but do not contain prime soils, are typically zoned and designated Rural Lands in order to allow their continued agricultural use without encroachment of incompatible uses. Agricultural resources are discussed further in Chapter 3 of this Plan.

**Objective 3.4.1** Encourage agricultural development in the Middletown area by supporting programs that help reduce agricultural costs and preclude intrusion of incompatible development into prime agricultural areas.

- **Policy 3.4.1a** Support the continued use of agricultural lands and discourage conversion of these lands to other uses unless necessary to accommodate an orderly and logical pattern of urban development.

**Response:** *This proposal will not adversely impact the continued use of agricultural land or convert the agricultural land to a non-agricultural / incompatible use.*

**Lake County Code - Chapter 17 - Subdivision Regulations.** *The following regulations must be met in order to divide land within Lake County:*

**Sec. 17-6. - Tentative Map**

The applicant has met these submittal requirements by providing a Tentative Map that was prepared by Albion Surveying, a professional licensed Survey firm located in St. Helena, CA.

**Sec. 17-7. - Statements**

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

**Sec. 17-22. - Dedications.**

The applicant is not proposing any dedications, however a 50' wide road and utility dedication needs to be dedicated for the benefit of parcels 'Y' and 'Z'. This is reflected in the conditions of approval for this land division prior to or concurrently with final plat recordation.

**Sec. 17-23. - Lots.**

The parcels proposed meet all requirements in the A Agricultural 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).

**Sec. 17-24. - Easements.**

All easements required and desired by the developer are shown on the Tentative Map provided to the County and under consideration herein. Easements primarily consist of power lines that cross the subject site in various locations.

**Sec. 17-27A. - Park and Recreation Facilities.**

The project is exempt from Quimby Act park fees because it affects non-residential land.

**Sec. 17-28. - Improvements.**

No improvements are shown on the tentative map submitted, and no improvements are determined to be needed according to the Lake County Department of Public Works and the County Surveyor.

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

*Article 6, Agricultural Zoning District.* Purpose: To protect the County's agricultural soils, provide areas suitable for agriculture, and prevent development that would preclude their future use in agriculture.

***Response:*** *The subject site has less than a 10% slope; has a very low fuel load, and is served by Butts Canyon Road, a paved County-maintained road. The parcels meet the minimum size requirements for lots located in the "A" Agriculture zoning district. No new development is proposed. The project meets all development standards and all aspects of Article 6 are met with this proposed project.*

**V. FINDINGS FOR 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:*** *A PRC 4290 and 4291 site inspection was conducted on **June 24, 2021** by the Lake County Fire Marshal. No road improvements were determined to be needed.*

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 406 acre site is served by the South Lake Fire Protection District (CalFire). The site is flat; is mostly devoid of combustible materials other than the vineyard (wine grapes), and has easy access and ample turn-around space on site.*

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:** *CAL FIRE and the Lake County Department of Public Works has reviewed the site plan proposal for PM 20-23 and had no adverse comments.*

## **VI. ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of land use actions. In this case, the site has been extensively disturbed by prior agricultural uses (wine grape growing) for several decades, and qualifies for a categorical exemption to CEQA 15300.2(b) based on the historic site disturbance.

## **VII. RECOMMENDATIONS**

**Staff recommends that the Planning Commission take the following actions:**

### **A. Adopt a Categorical Exemption for Parcel Map, PM 20-23 with the following findings:**

1. There is no new development proposed or contemplated by the developer.
2. There has been no substantial change in circumstances resulting in new significant environmental impacts.
3. No new information of substantial importance to the project has become available.
4. The project will not result in a substantial environmental impact.

### **B. Approve Parcel Map PM 20-23 with the following findings:**

1. This project is consistent with the Lake County General Plan, Lake County Zoning Ordinance, Chapter 17 (Subdivisions) of the Lake County Code, and the Middletown Area Plan.
2. This land division is consistent with the Lake County Subdivision Ordinance and the State Subdivision Map Act.
3. The parcel map is compatible 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**

I move that the Planning Commission find on the basis of the **environmental review** undertaken by the Planning Division and no mitigation measures were added to the project, that the **Parcel Map, PM 20-23** as applied for by **Langtry Farms, LP** on property located at **21700 Butts Canyon Road, Middletown, APN 014-310-08; 21200 Butts Canyon Road, Middletown, APN 014-320-06; and 22300 Guenoc Valley Road, Middletown, APN 014-330-08** will not have a significant effect on the environment and thereof, recommend the Planning Commission approve the proposed Categorical Exemption using CEQA section 15300.2(b) with the findings listed in the Staff Report dated **July 22, 2021**.

**Parcel Map, PM 20-23**

I move that the Planning Commission find that the **Tentative Parcel Map, PM 20-23** as applied for by **Langtry Farms, LP** on property located at **21700 Butts Canyon Road, Middletown, APN 014-310-08; 21200 Butts Canyon Road, Middletown, APN 014-320-06; and 22300 Guenoc Valley Road, Middletown, APN 014-330-08** is in conformity 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 dated **July 22, 2021**.

***NOTE:** The applicant or any interested person is reminded that the subdivision ordinance provides for a fifteen (15) 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 fifteenth calendar day following the Commission's final determination.*