

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2022-121

**RESOLUTION OF INTENTION OF THE LAKE COUNTY BOARD OF SUPERVISORS
TO INITIATE AN AMENDMENT TO THE ZONING ORDINANCE RELATING TO
APPEALS**

WHEREAS, the Lake County Zoning Ordinance presently provides for the public to appeal decisions taken by the Zoning Administrator, Planning Director, Planning Department staff, Enforcement Officers, Development Review Committee, or Planning Commission pursuant to the enforcement of the administration of the Zoning Ordinance.

WHEREAS, there have been an increase of appeals submitted for projects that have been approved; and

WHEREAS, there have been, on multiple occasions, the submission of large documents providing evidence for the consideration of the appeal with less than 24 hours to review, and sometimes less than an hour to review, prior to the start of the public meeting; and

WHEREAS, this has typically resulted in delaying the consideration of the appeal due to the inability to digest and review the material in a timely fashion; and

WHEREAS, the public is also unable to review the material or see the material since it has not been presented in time to be a part of the posted agenda; and

WHEREAS, the goal of the amendment herein is to rectify this issue by setting timelines for when documentary evidence or written argument is to be submitted which would allow both the Planning Commission or the Board, as well as the public, the ability to review the submissions in preparation for the meeting therefore decreasing the possibility of the appeal process being further delayed.

WHEREAS, in furtherance of that intention and pursuant to Article 47 of the Zoning Ordinance, this Board presents this Resolution of Intention and draft amendments to the Zoning Ordinance which attached hereto and incorporated by reference herein, to the Planning Commission for a recommendation of approval, approval with conditions or modifications, or denial of said amendments.

NOW THEREFORE, BE IT RESOLVED THAT:

Section 1: The Board of Supervisors of the County of Lake hereby amends Chapter 21, Article 58 of the Lake County Zoning Ordinance as follows:

A. Section 58.17 shall be added to read as follows:

“58.17 - Submission of Documentary Evidence and/or Written Argument.
Any party wishing to provide documentary evidence and/or written

argument shall submit such documentation to the Clerk of the Planning Commission no later than 96 hours prior to the date and time of the Public Hearing. Documentary evidence and/or written argument submitted after that time shall not be considered by the Planning Commission.”

B. Section 58.27 shall be added to read as follows:

“58.27 - Submission of Documentary Evidence and/or Written Argument. Any party wishing to provide documentary evidence and/or written argument shall submit such documentation to the Clerk of the Planning Commission no later than 96 hours prior to the date and time of the Public Hearing. Documentary evidence and/or written argument submitted after that time shall not be considered by the Planning Commission.”

C. Section 58.36 shall be added to read as follows:

“58.36 - Submission of Documentary Evidence and/or Written Argument: Any party wishing to provide documentary evidence and/or written argument shall submit such documentation to the Clerk of the Board of Supervisors no later than 96 hours prior to the date and time of the Public Hearing. Documentary evidence and/or written argument submitted after that time shall not be considered by the Board of Supervisors.”

Section 2: The Board of Supervisors of the County of Lake amend Chapter 21, Article 68 of the Zoning Ordinance read as follows:

A. Section 68.4 (d) shall be added to read as follows:

“(d) Documentary Evidence – Any document which is offered and admitted as evidence during an Administrative Appeal, Planning Commission Appeal, or a Board of Supervisors Appeal as provided in Article 58 of Chapter 21 of the Lake County Zoning Ordinance.

Section 3: The proposed ordinance is exempt under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that the project will have no significant effect on the environment.


Section 4: This ordinance shall take effect thirty (30) days after its adoption and before the expiration of fifteen days after its passage, it shall be published at least once in a newspaper of general circulation printed and published in the County of Lake.

THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Supervisors of the County of Lake, State of California, at a regular meeting thereof on September, 27, 2022, by the following vote:

AYES: Supervisors Simon, Sabatier, Pyska, and Crandell

NOES: None

ABSENT OR NOT VOTING: Vacant - District 4 Supervisor



CHAIR, Board of Supervisors

ATTEST: SUSAN PARKER
Clerk of the
Board of Supervisors

APPROVED AS TO FORM:

ANITA L. GRANT
County Counsel

By: _____

By: _____