

BOARD OF SUPERVISORS, LAKE COUNTY, STATE OF CALIFORNIA
AN ORDINANCE RESCINDING LAKE COUNTY ORDINANCE NO. 3094

ORDINANCE NO. _____

WHEREAS, on July 21, 2020, the Board of Supervisors approved Ordinance No. 3094, adopting a Sectional District Zoning Map, No. 3.7(b)(1) 402 for the Guenoc Valley Mixed Use Planned Development Project (hereinafter, the "Project"); and

WHEREAS, the County of Lake's approval of the Project was challenged in Superior Court, resulting in the Court issuing a limited ruling in favor of the petitioners, concluding that the County's findings regarding community emergency evacuation routes were not supported by substantial evidence and, for that reason, the Environmental Impact Report (hereinafter, "EIR") did not comply with the California Environmental Quality Act (hereinafter, "CEQA"); and

WHEREAS, The Superior Court entered its Judgment and issued a Peremptory Writ of Mandate wherein the Court ordered the County to set aside and vacate its (a) certification of the final EIR, (b) findings relating to impacts to an adopted emergency evacuation plan, and (c) approval of the Project; and

WHEREAS, the County's approvals of the Project included the Amendment to the Lake County General Plan (GPAP 18-01) for the Guenoc Valley Mixed Use Commercial Development; the Amendment to General Plan Policy LU 6.12 of Chapter 3, section 3.9 (Economic Development) of the Lake County General Plan; Ordinance No. 3095 Establishing Regulations and Development Standards for the Guenoc Valley Zoning District or "GVD District" (Zoning Ordinance Text Amendment (AM 18-04); Ordinance No. 3093, Adopting a Sectional District Zoning Map No. 3.7 (b)(1) 401; Ordinance No. 3094, Adopting a Sectional Ordinance No. _____

District Zoning Map No. 3.7(b)(1) 402; General Plan of Development (GPD 18-01); Major Use Permit (UP 18-49); Tentative Subdivision Map (SD 18-01); Development Agreement (DA 18-01); Tentative Subdivision Map (SD 20-01); and Major Use Permit (UP 20-02); and,

WHEREAS, by this ordinance, the Board of Supervisors intends to comply with the Judgment and Peremptory Writ of Mandate of the Superior Court by vacating and setting aside Ordinance No. 3094; and

WHEREAS, by separate ordinances, the Board of Supervisors will vacate and set aside Ordinance No. 3093 and Ordinance No. 3095; and

WHEREAS, by a separate resolution, the Board of Supervisors will vacate and set aside the above described actions that were adopted by motion or resolution.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDAINS AS FOLLOWS:

Section One: Ordinance No. 3094 is rescinded.

Section Two: CEQA Review. This Board finds that this ordinance is exempt under California Public Resources Code Section 21080(b)(1) as a ministerial action in order to comply with the Superior Court's Judgment and Writ of Mandate and pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that adoption of this ordinance will have no significant effect on the environment.

Section Three: This ordinance shall take effect thirty (30) days from its date of 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.

The foregoing Ordinance was introduced by the Board of Supervisors on the _____ day of _____, 2022, and passed by the following vote on the ____ day of _____, 2022.

AYES:
NOES:
ABSENT OR NOT VOTING:

COUNTY OF LAKE

Chair Board of Supervisors

ATTEST: SUSAN PARKER
Clerk to the Board of Supervisors

APPROVED AS TO FORM:
ANITA L. GRANT

By: _____
Deputy

By: _____