



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
255 N. Forbes Street – 3rd Floor
Lakeport, California 95453
Planning • Building • Code Enforcement
Phone: (707) 263-2221 • Fax: (707) 263-2225

Item 6a
9:05 AM
July 10, 2025

STAFF REPORT

TO: Planning Commission

FROM: Mireya G. Turner, Community Development Department
Pablo Guerrero, Assistant Planner

DATE: July 10, 2025

SUBJECT: Consideration of Tentative Parcel Map (PL-25-65; PM 24-02) and CEQA Categorical Exemption (CE 24-44) to divide one parcel into two parcels; located at 8855 Red Hills Rd, Kelseyville (APN 011-015-15).

ATTACHMENTS:

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

EXECUTIVE SUMMARY

The applicant, Steven Mitten, proposes a parcel map to divide a 10.13-acre parcel into two-parcels for the property located at 8855 Red Hills Rd, Kelseyville, CA 95451 (APN 011-015-15). Parcel A is proposed to become 5.03 acres and Parcel B is proposed to become 5.10 acres. The parcel is currently recognized as a single legal parcel that encompasses two residential dwellings. The proposed subdivision aims to establish two separate legal parcels. Each would have access to an individual water well and a separate septic system.

Both parcels will remain zoned Rural Residential, Special Lot Size/Density, and Scenic Combining District (C3-B5-SC), where B5 specifies a minimum lot size of 2.5 acres. Each proposed parcel is already served by its own septic tank and leach field. Parcel A's water well includes a 10-foot-wide easement to provide water access for Parcel B. Access for both parcels will continue via an existing driveway from Red Hills Road, with Parcel B utilizing an easement over Parcel A's driveway. No development or land-use changes are included in this proposal.

PROJECT DESCRIPTION

<u>Project Title:</u>	Parcel Map
<u>Permit Numbers:</u>	Parcel Map (PL-25-65; PM 24-02); Categorical Exemption CE 24-44

<u>Applicant / Property Owner:</u>	Steven Mitten / Margaret Mitten
<u>Project Location:</u>	8855 Red Hills Rd Kelseyville, CA. 95451
<u>Parcel Number(s) (APN):</u>	011-015-15
<u>Parcel Size:</u>	Approximately 10.13 acres
<u>Topography:</u>	Approximately 8% Avg. Cross Slope
<u>General Plan Designation:</u>	Rural Residential
<u>Zoning District(s):</u>	"RR-B5-SC" – Rural Residential-Special Lot Size and Density Combining-Scenic Combining
<u>Supervisory District:</u>	5
<u>Hazards:</u>	High Fire Hazard Severity Zone
<u>Flood Zone:</u>	"D" - Areas in which flood hazards are undetermined, but possible.
<u>Fire Protection:</u>	Kelseyville Fire Protection District; California Department of Forestry and Fire Protection (CAL FIRE)
<u>Submittal Date:</u>	October 01, 2024

Figure 1: Vicinity Map



Source: Lake County GIS Mapping, 2024

Background & Project Overview

The project site is located at 8855 Red Hills Road Kelseyville, CA 95451 (Figure 1). The applicant proposes dividing a 10.13-acre parcel into two separate legal parcels. Currently, the property is recognized as a single parcel containing two single family dwellings. The parcel division will create two lots, each with existing residential dwellings and independent septic systems, with shared access and a well easement. Both parcels meet zoning requirements and have established utilities, including water and septic systems.

Existing Features:

The project site currently contains two single family dwellings, a garage, a barn, a shed, a metal shed, two septic systems, and one well. This well is currently shared with both homes. There is one driveway, accessible via from Red Hills Road, currently being used to access both homes.

Justification for Parcel Map:

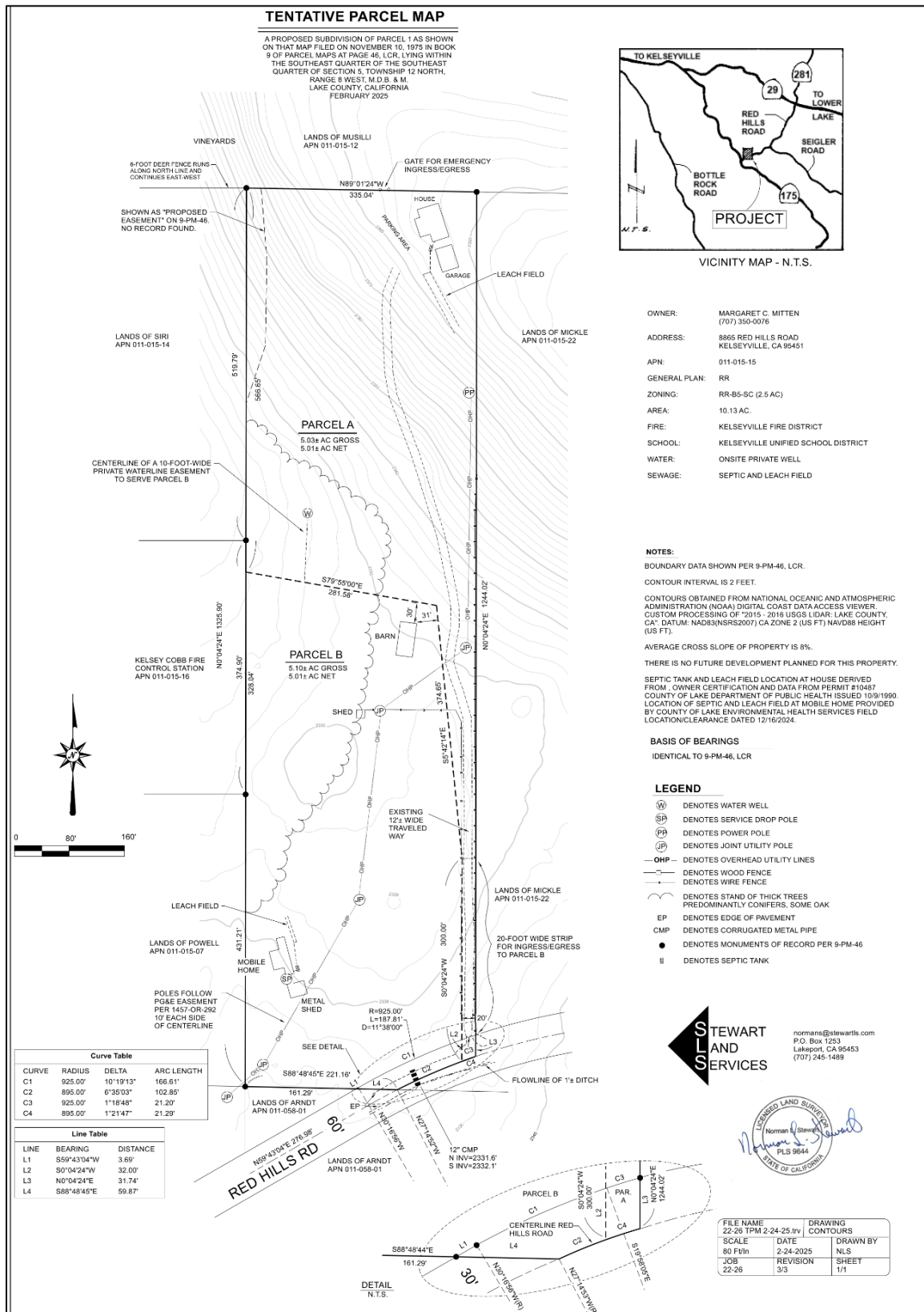
The applicant proposes to divide the existing 10.13-acre property into two legal parcels, a request supported by the presence of two existing residences, each served by independent septic systems. Both proposed parcels exceed the minimum 2.5-acre zoning requirement and are supported by established water and access easements.

Parcel A includes a private well with a 10-foot-wide easement to provide water service to Parcel B. Each parcel is equipped with its own septic tank and leach field. Access to both parcels will continue via the existing driveway off Red Hills Road. Parcel B will utilize a 20-foot-wide ingress/egress easement over Parcel A's driveway, which extends approximately 1,100 feet and includes four turnouts spaced roughly every 300 feet, beginning about 200 feet from the driveway entrance.

This land division reflects that each proposed parcel would be able to function separately and does not require new development. Figure 2 illustrates the existing features within the proposed parcel map where it would result in the following:

- Parcel A (5.03 acres): Single family dwelling, garage, and water well
- Parcel B (5.10 acres): Single family dwelling, barn, and two sheds

Figure 2: Tentative Parcel Map



Source: Norman L. Stewart (PLS 9644), 2025.

PROJECT SETTING

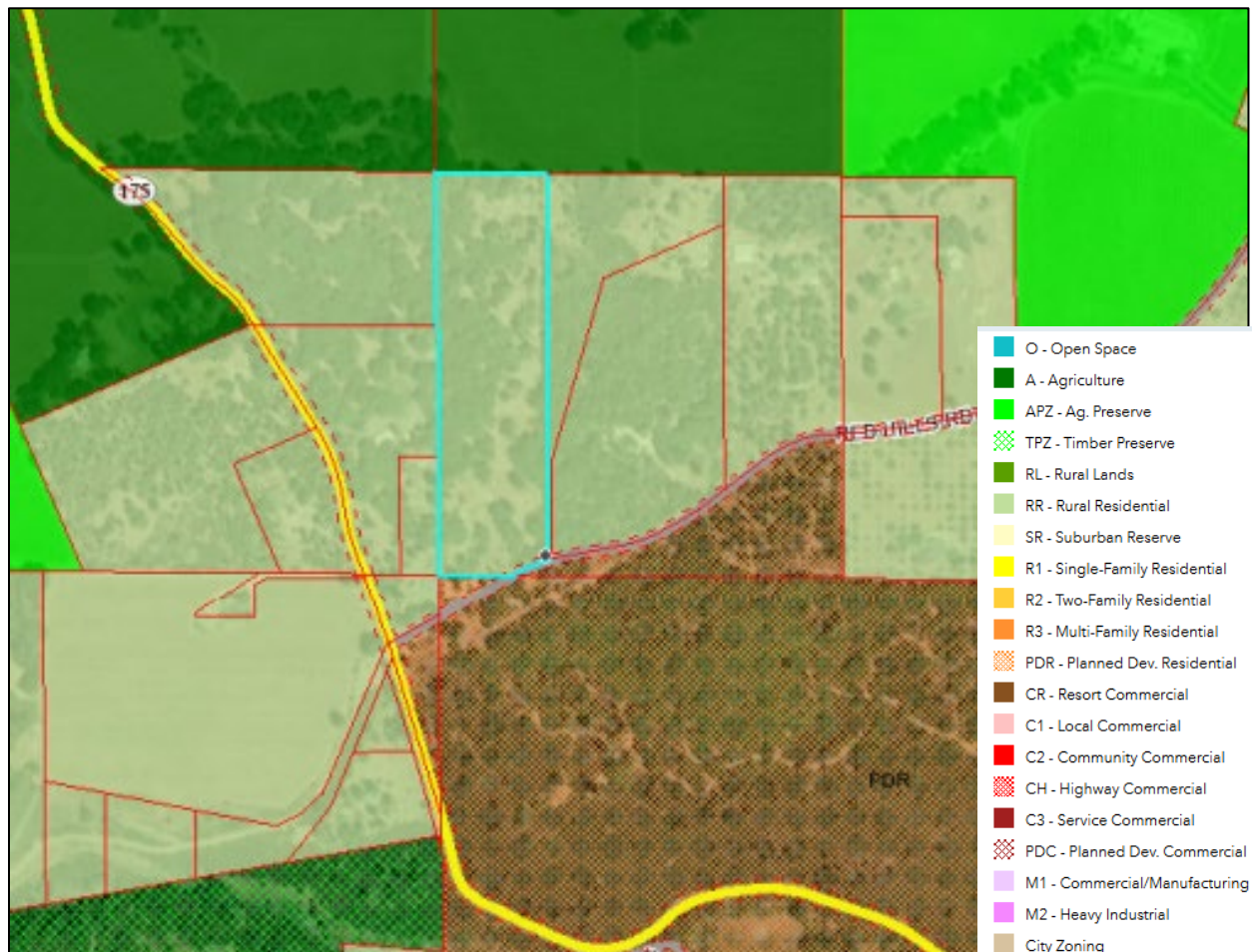
The project site is accessible via county-maintained Red Hills Road, which connects to nearby rural and residential areas. The surrounding land uses include agricultural properties to the north, rural residential properties to the east and west, and planned development of residential areas to the south. Topography of the site mild, with an average slope of 8%. Vegetation consists primarily of grass, shrubs, and oaks trees.

Zoning Designations with Surrounding Uses

Zoning designations and uses around the project site include (Figure 3):

- North: “A” Agricultural; nearby vineyards and agriculture uses.
- South: “PDR” Planned Development Residential; open undeveloped land.
- East: “RR” Rural Residential; single-family dwellings and a local fire station.
- West: “RR” Rural Residential; single-family dwellings.

Figure 3: Zoning Map



Source: Lake County GIS Mapping, 2024

PROJECT ANALYSIS

General Plan Conformity

In accordance with the Lake County 2008 General Plan, the parcel's designation is zoned Rural Residential. It is not within a Community Growth boundary. The Community Development Department, Planning Division, has identified goals and policies from the Lake County General Plan that support conformity of the proposed project.

Chapter 3 – Land Use Element

Rural Residential: This land use category is designed to provide single-family residential development in a semi-rural setting. Large lot residential development with small-scale agricultural activities is appropriate.

- Density Standards: One DU per 5 Acres if the average cross slope is less than 30%; one DU per 10 Acres if the average cross slope is 30% or greater.

Response: The average cross slope of the property is approximately eight percent, which is under thirty percent. After the parcel split Parcel A and Parcel B will each have a residence.

Goal LU-3: To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in the County, and ensure a high quality of development.

- Policy LU-3.3 Clustering of Rural Development: The County shall consider rural development intensity in rural areas located outside of Community Growth Boundaries according to its ability to support water and waste disposal needs, access, slope characteristics, protection of sensitive natural resources and the site's susceptibility to natural hazards.

Response: The parcel is situated outside established Community Growth Boundaries. Both proposed parcels would maintain independent utility access through individual septic systems and a shared well via a proposed easement. Access is provided by Red Hills Road, a county-maintained road. The topography features an approximate average cross slope of 8 percent. As no development is currently proposed, natural resources would remain undisturbed. While the site is designated as a high fire hazard area, it is located approximately adjacent to the CAL FIRE Kelsey Cobb Fire Station, providing nearby emergency response services.

- Policy LU-3.8 Rural Residential: The Rural Residential land use designation shall be subject to the following requirements: Areas which qualify for densities greater than 1 unit per 10 acres must meet the following characteristics:
 - Average slopes must be below 30% grade.

- Areas not identified as a moderate-to-high landslide hazard area (special study zones).
- Access to new development should be via an existing publicly maintained road or via a new road improved consistent with adopted county standards.

Response: The parcel meets the minimum 5-acre requirement based on the density standard outlined above. The average cross slope is below thirty percent. While the area is identified as having moderate soil type, the low average cross slope of approximately eight percent reduces the risk of landslide hazards. Access is provided via Red Hills Road, a publicly maintained roadway.

Cobb Mountain Area Plan Conformity

Land Use

Objective 5.1: To promote orderly growth and development in the Cobb Mountain Area.

- Policy 5.1a: Existing development patterns should be recognized to logically provide for future development in the area.

Response: The proposed parcel map recognizes the existing development of two separate residential dwellings already functioning independently on the property, making formal division a logical progression that acknowledges the current use.

Subdivision Regulations Conformity

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

Response: The applicant has met the submittal requirements by providing a tentative parcel map that was prepared by Norman L. Stewart, a professional licensed land surveyor: PLS 9644.

Sec. 17-7. – Statements

Response: The statements referred to in this subsection of the County Code referring to documents accompanying maps designed for the land division. The applicant has fulfilled the submission requirements both graphically and with supporting text.

Sec. 17-21. – Division of Land (Parcel Map)

Response: The parcel map has been reviewed by the County Surveyor. Recommended Conditions are included as Attachment 3.

Sec. 17-22. – Dedications

Response: The applicant did not propose any dedications. There is an existing PG&E easement depicted on the tentative parcel map (Attachment 1). The Lake County Surveyor and Public Works department have reviewed the tentative parcel map and indicated that no new right-of-way dedications are necessary.

Sec. 17-23. – Lots

Response: The currently proposed parcels comply with all requirements for the Rural Residential District (RR) and the Special Lot Size and Density Combining District (B5), including criteria related to size, shape, width-to-depth ratio, and the capacity for essential utilities (water, septic, power, and access roads). This proposed land division adheres to the necessary setbacks from existing structures, and all lots satisfy the minimum size requirements specified for the RR zoning district.

Sec. 17-24. – Easements

Response: Easements for the Pacific Gas & Electric Company (PG&E) power poles are shown on the map, along with the required setbacks. Additionally, easements for the driveways of each parcel have been indicated. An easement for the water well on Parcel B is also illustrated to ensure access for that parcel

Sec. 17-25. – Roads and Streets

Response: No new streets would be created and both proposed parcels would use existing county-maintained Red Hills Road. Thus, the road was not adjusted in the Tentative Parcel Map. CAL FIRE provided comments indicated that the driveway needs to have a minimum 10-foot-wide road with a turnout every 400 feet, where the minimum turnout is 10 feet wide and 30 feet long. The applicant's proposed driveway meets the CAL FIRE minimum standards, being 20 feet wide and having appropriate space for turnouts every 300 feet.

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

Response: In this section it states that "the subdivider shall dedicate land for park and recreation facilities sufficient in size and topography to meet that purpose. The amount of land to be provided shall be determined pursuant to the following standards and formula, [however,] ... the term dwelling unit does not include dwelling units lawfully in place prior to the date on which the tentative map is approved." The formula multiplies the acres per person by dwelling units; however, as dwelling units were defined above, the tentative parcel map includes dwelling units permitted before it would be approved. Thus, the Quimby Parks Improvement Fees would not be applied.

Sec. 17-28. – Improvements

Response: The parcel map submitted has shown no improvements to Red Hills Road. Lake County Public Works, Road Department has provided comments indicating that no work needs to be done on the county-maintained road or the existing driveway. The driveway contains 4 turnouts that are within 400 feet from each other.

Zoning Ordinance Conformity

Article 8 – Rural Residential District

The following regulations shall apply in all “RR” districts. The purpose is to provide for single-family residential development in a semi-rural setting along with limited agriculture.

Response: The land division proposes no new development, as both proposed parcels contain existing dwellings: constructed in 1989 on Parcel A and 1981 on Parcel B.

Article 30 – Special Lot Size/Density, “B” Combining District

The purpose of this article is to create special lot sizes and densities available under Section 30.2. (c) “B5” areas: Maximum permitted density measured by dwelling units per gross acre and minimum lot size shall be as specified on the sectional district map.

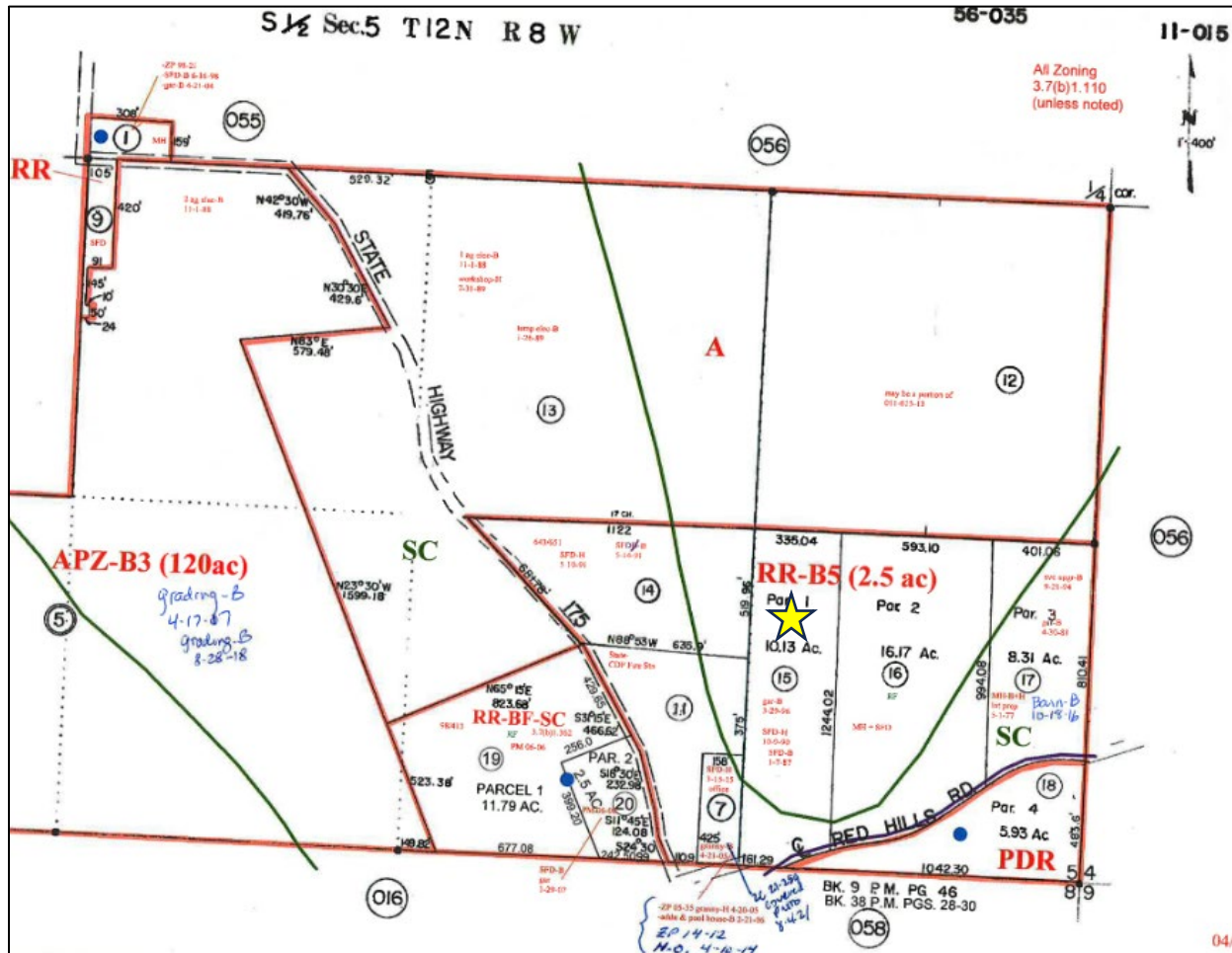
Response: Both proposed parcels (5.03 acres and 5.10 acres respectively) exceed the minimum 2.5-acre lot size option specified by the B5 designation in the sectional district map, ensuring full compliance with zoning standards.

Article 34 – Scenic Combining District

The purpose is to protect and enhance views of scenic areas from the County’s scenic highways and roadways for the benefit of local residential and resort development, the motoring public, and the recreation-based economy of the County. The following regulations shall apply in all “SC” districts and all uses except single-family residential structures shall be subject to development review as set forth in Article 56.

Response: The southern portion of the parcel is within the Scenic Combining District, as shown in Figure 4. Since no development is proposed in this area, the review process under Article 56 is not applicable. This ensures compliance with Article 34. Additionally, Caltrans has provided no adverse comments regarding this project (Attachment 3).

Figure 4: Scenic Combine Map (Parcel 15)



Source: Lake County Assessor's Office, Assessor Parcel Number Book 011, April 2013.

AGENCY COMMENTS

The following agencies submitted comments on this project. Comments received are included in Attachment 3, and have been incorporated into conditions of approval as applicable (Attachment 2):

- Lake County Assessor-Recorder Office
- Lake County Department of Public Works (Roads)
- Lake County Environmental Health
- Lake County Special Districts
- Lake County Surveyor
- Pacific Gas and Electric Company
- Kelseyville Fire Protection District; CAL FIRE
- California Department of Transportation (Caltrans)

Comments were received, however, none would impede the project.

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 January 16, 2025. Comments were received, however, none were adverse.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of land use actions. Pursuant to California Code of Regulations Title 14, Division 6, Chapter 3, Article 19, Section 15315 (Class 15) Minor Land Divisions consist of the division of property in areas zoned for residential, commercial, or industrial use when the following criteria are met:

1. The division results in four or fewer parcels.
2. The division is in compliance with the local General Plan and zoning regulations.
3. No variances or exceptions are required.
4. All services and access to the proposed parcels are available or can be provided.
5. The parcel was not involved in a division of a larger parcel within the previous two years.
6. The parcel does not have an average slope greater than twenty percent.

The average cross slope of the property is approximately eight percent, which is under the twenty percent maximum allowed. The site is not designated as environmentally sensitive, as there are already developed single family dwellings and there is no proposed development. The parcel was not involved in a division of a larger parcel within the past two years. Services (water and septic systems) and access via existing driveway–Red Hills Road–are already in place. Each property would have its own septic system, and one well would be shared through an easement. The proposal results in two parcels being created from one. The zoning (Rural Residential, RR-B5-SC) and lot sizes comply with local requirements. General Plan conformity was analyzed within this Staff Report. No variances or exceptions are needed.

Pursuant to the CCR, Title 14, Division 6, Chapter 3, Article 19, Section 15300.2, the parcel contains no historical buildings listed on the California Register of Historical Resources or on the County's list of historical properties (verified with The California Office of Historic Preservation). The affiliate tribe received notice about the project and no comments were received. The parcel is also previously developed, not listed in the California Department of Toxic Substances Control "EnviroStor" database, and there are no toxic waste sites or facilities within 1,000 feet of the site. In addition, no officially designated state scenic highway lies adjacent to the site, according to the California

Department of Transportation's list. There would be no environmental impacts from the proposed project and the aforementioned CEQA exemption 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 Red Hills Road, a paved two-lane county-maintained road. In accordance with CAL FIRE 4290 regulations, the terrain in the area is generally flat, and there are no obvious conditions that would hinder the ability of emergency services providing aid via Red Hills Road to either property once the Parcel Map is recorded. In accordance with CAL FIRE 4291 regulations, the property includes defensible space as demonstrated by the setbacks shown on the Tentative Parcel Map (Attachment 1), ensuring that all proposed structures meet minimum fire safety standards.

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 Kelseyville Fire Protection District as well as CAL FIRE. The CAL FIRE Kelsey Cobb Fire Station is located adjacent miles to the west of the subject site. The site is flat and is easily accessed via Red Hills Road. 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 (Parcel A and Parcel B), both utilizing the existing driveway access-that is in compliance with CAL FIRE 4290-via Red Hills Road through an easement identified on the Tentative Parcel Map (Attachment 1).

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

- A. Adopt a Categorical Exemption (CE 24-44) for Tentative Parcel Map (PL-25-65; PM 24-02) with the following findings:
 1. The division would result in four or fewer parcels.
 2. The division is in compliance with the local General Plan and zoning regulations.
 3. No variances or exceptions are required.
 4. All services and access to the proposed parcels are available.
 5. The parcel was not involved in a division of a larger parcel within the previous two years.
 6. The parcel does not have an average slope greater than twenty (20) percent.
- B. Approve Tentative Parcel Map (PL-25-65; PM 24-02) 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 Cobb Mountain 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 proposed land division will not generate any adverse environmental impacts as no physical development is included.

SAMPLE MOTIONS

Categorical Exemption (PL-25-65; CE 24-44)

I move that the Planning Commission find the Tentative Parcel Map (PL-25-65; PM 24-02) is before categorically exempt from CEQA, approving CE 24-44, in accordance with CEQA Guidelines Section 15315 (Class 15), "Minor Land Divisions", with the findings listed in the Staff Report dated July 10, 2025.

Parcel Map (PL-25-65; PM 24-02)

I move that the Planning Commission find that the Tentative Parcel Map (PL-25-65; PM 24-02), as applied for by Steven Mitten on property located at 8855 Red Hills Road, Kelseyville, CA 95451 (APN 011-015-15), is in conformance with the provisions of the Subdivision Map Act, 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 July 10, 2025.

NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven 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.