



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
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Item #5
9:25 AM
July 14, 2022

STAFF REPORT

TO: Planning Commission

FROM: Mary Darby, Community Development Director
Eric Porter, Associate Planner

DATE: July 14, 2022

SUBJECT: **General Plan Conformity, GPC 21-03, CE 21-68**
Supervisor District 3

ATTACHMENTS: None

I. EXECUTIVE SUMMARY

The County of Lake owns an eight (8) acre property located at 615 E. Highway 20, Upper Lake. The site contains a County Park. The County of Lake Public Services Department has applied for a General Plan of Conformity for minor improvements, including:

- Creation of a new dog park; approximately 1 acre in size
- New basketball court
- New lighting

Staff recommends approval of the General Plan Conformity, GPC 21-03, and adoption of the Categorical Exemption to CEQA, CE 21-68.

II. PROJECT DESCRIPTION

Applicant/Owner: County of Lake

Location: 650 E. Highway 20, Upper Lake

APN: 004-010-39

General Plan: Public Facilities, Resource Conservation

Zoning: "O – SC – FF - WW" Open Space – Scenic Combining – Floodway
Fringe - Waterway

III. **PROJECT SETTING**

Existing Uses and Improvements: The property has been developed as a County Park. Current improvements are a paved parking lot, a baseball field, a tennis court, some play equipment, a gazebo, and benches for picnicking.

Topography: The site is flat.

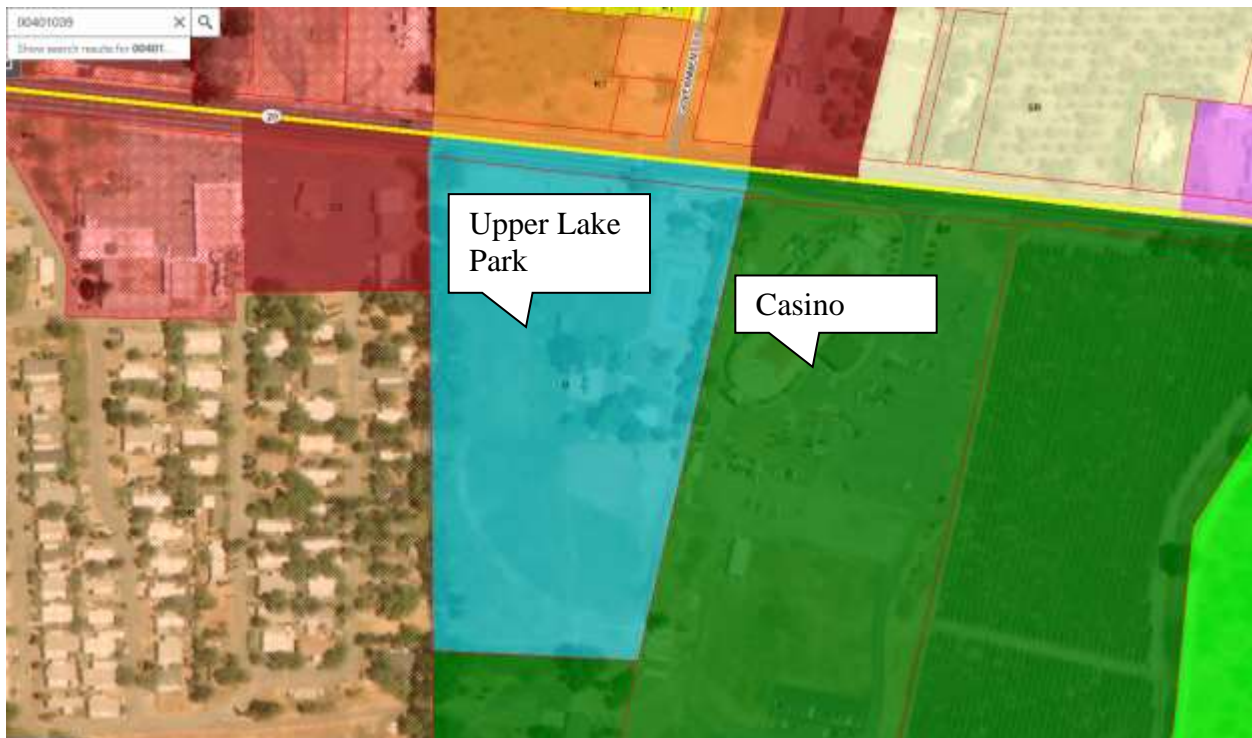
Soils: According to the soil survey of Lake County, prepared by the U.S.D.A., the soil on the developed portion of the site is unit type 158 Lupoyoma silt loam, protected. This soil type occurs on land that is between 0 and 2% slope. The permeability is moderately slow, surface runoff is slow, and the hazard of erosion is slight.

Fire Protection: Northshore Fire Protection District

Flood Zone: Small portion of northwest corner is in the AO flood plain.

Surrounding Uses:

- North: Napa Auto Parts; C3 Community Commercially zoned land; 1.78 acres, and PDR-zoned land containing dwellings
- South: Running Creek Casino; approx. 10 acre property zoned RL Rural Lands
- East: R3 High Density Residentially-zoned lots ranging in size from ½ acre (2 lots, one developed with a dwelling) to 1.42 acres (vacant).
- West: RL-zoned land containing a dwelling.



IV. PROJECT ANALYSIS

The subject site had historically been used as a County Park. The County of Lake seeks to make certain improvements to this park. Because the park is public property, this General Plan of Conformity is required to verify that the park improvements are consistent with the General Plan, as well as the Upper Lake – Nice Area Plan and any applicable zoning ordinances.

V. GENERAL PLAN CONFORMANCE

The County is seeking to improve the property by adding a dog park, a basketball court, and outdoor lighting. The improvements proposed for this property are consistent with the following Lake County General Plan categories, Goals and Policies.

General Plan, Chapter 3, Land Use:

Public Facilities

This land use category establishes areas for services and facilities which are necessary to maintain the welfare of the community and the natural environment. Typical uses include parks... This designation does not preclude future facilities from being located outside noted locations. This designation is located both inside and outside of Community Growth Boundaries.

Resource Conservation

The purpose of this land use category is to assure the maintenance or sustained generation of natural resources within the County. The highest priority for these lands is to provide for the management of the County's natural infrastructure. This management should include, but is not limited to, functioning as watershed lands which collect precipitation and provide for the important filtering of water to improve water quality. In addition, these lands provide important ground water recharge capability which is critical to the maintenance of the natural ecosystem and to providing a sustainable ground water supply for the County. This category would include ... outdoor parks and recreation... . Uses allowed in this designation are those related to resource utilization and resource conservation activities. Resource utilization operations and facilities will require a conditional use permit. This designation is located both inside and outside of Community Growth Boundaries.

Response: *Parks are a named use in the Resource Conservation and Public Facility-designations within the General Plan. The use of the property as a park complies.*

Lake County General Plan, Chapter 9, Open Space, Conservation and Recreation

- ***Policy OSC-1.15 Protect Natural Resources***

The County shall strive to protect natural resource areas, fish and wildlife habitat areas, scenic areas, open space areas, and parks from encroachment or destruction by incompatible development and invasive species.

Goal OSC-6: To provide a parks, recreation, and open space system that serves the recreational needs of County residents and visitors, including a regional non-motorized recreational trail system.

- **Policy OSC-6.2 Park Amenities**

The County shall provide a broad range of active and passive recreational needs within community parks. When possible, this should include large trees for shade, active sports fields and facilities, community center/recreation buildings, multi-use areas and trails, sitting areas, and other specialized uses as appropriate (refer to Figure 9-2).

Response: *The addition of the dog park and basketball court will enhance the park experience for more local and visiting individuals by offering a wider mixture of activities that can occur on the Upper Lake Park.*

- **Policy OSC-6.9 Meet Changing Recreational Needs**

The County should cooperate with local, state, and federal agencies to ensure flexibility in the development of recreational areas and services to respond to changing trends in recreational activities.

Response: *The County is adding two new types of recreational activity areas to respond to needs of local residents and visitors to Lake County.*

- **Policy OSC-6.10 Funding for Recreational Areas and Facilities**

The County shall strive to obtain adequate funding to improve and maintain existing parks as well as construct new facilities, including a regional trail system with linkages, and should consider adopting a park mitigation fee ordinance.

Response: *The County has funding available to make the improvements proposed to the Upper Lake County Park.*

Upper Lake – Nice Area Plan Conformance

- **Objective 5.4.2:** Upgrade and expand parks and recreation facilities to encourage more public use and enhance recreational opportunities.

Response: *This project represents an upgrade to the Upper Lake County Park by adding new amenities; a dog park and a basketball court. Lighting is also proposed for the park, making it more user-friendly after dark and providing safety to park users with the additional lighting proposed.*

VI. ZONING ORDINANCE CONFORMANCE

The Lake County Zoning Ordinance does not have any Articles that address General Plan Conformity. Article 27 lists 'permitted uses' in various zones. Parks are a permitted use in the 'O' Open Space zoning district.

VII. ENVIRONMENTAL REVIEW

This project will allow the County to make improvements to the Upper Lake County Park. Minimal site disturbance is needed, primarily for the basketball court. The California Environmental Quality Act Guidelines Section 15301, Class 1, exempts improvements to public facilities from needing to undergo a CEQA review. This project qualifies for a categorical exemption from CEQA since the site is already developed with a public park, and since the County is requesting minimal site improvements with the addition of the dog park and basketball court.

VIII. RECOMMENDATION

Staff recommends that the Planning Commission:

A. Adopt Categorical Exemption CE 21-68 for GPC 21-03 with the following findings:

1. Potential environmental impacts related to the General Plan of Conformity will not occur due to the nature of the action, which is to make minor improvements to an existing and developed County park.
2. This project is consistent with the Lake County General Plan, the Upper Lake - Nice Area Plan and the Lake County Zoning Ordinance.
3. That this project will not result in any significant adverse environmental impacts, including impacts on cultural or historic resources.

B. Approve GPC 21-03 with the following findings:

1. The project is compatible with surrounding land uses.
2. The project is consistent with the Lake County General Plan goals and policies related to the health and safety of the residents and property of Lake County.
3. The use of the land as a park is consistent with the Upper Lake - Nice Area Plan; and,
4. An evaluation for compliance with the California Environmental Quality Act has been performed pursuant to CEQA requirements, and a Categorical Exemption to CEQA has been determined to be appropriate for this action under CEQA section 15301.

Sample Motions:

Categorical Exemption

I move that the Planning Commission find and report that, on the minimal site improvements associated with this project, that a Categorical Exemption to CEQA shall be adopted pursuant to CEQA Section 15301, and that this project, located at 650 E. Highway 20, Upper Lake, CA and known as APN: 004-010-39, will not have a significant effect on the environment with the findings listed in the staff report dated July 14, 2022.

General Plan Conformity

I move that the Planning Commission find and report that General Plan Conformity GPC 21-03, applied for by the Lake County Public Services Department for the property located at 650 E. Highway 20, Upper Lake, CA and known as APN: 004-010-39, is in conformity with the Lake County General Plan with the findings listed in the staff report dated July 14, 2022.

NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission's recommendation, 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 calendar day following the Commission's final determination.

Reviewed by: Mary Darby, Community Development Director