



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

December 16, 2016

California Environmental Quality Act

INITIAL STUDY 15-10

Revised

ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Cross Development –Middletown Dollar General Use Permit
2. **Permit Number:** Use Permit (UP 15-08), Design Review and Initial Study (IS 15-10)
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Planning Division
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person and Phone Number:** Michalyn DelValle, Principal Planner (707) 263-2221
5. **Project Location:** 20900 S. State Highway 29, Middletown; APN: 024-501-18
6. **Project Sponsor's Name and Address:** Cross Development /Dollar General
5317 Inverrary Drive
Plano, Texas 75093
7. **General Plan Designation:** Local Commercial, Resource Conversation
8. **Zoning:** "C1-DR-FF-FW-SC-WW" Local Commercial-Design Review-
Floodway Fringe-Floodway-Scenic Combining-Waterway
9. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

The developer, Cross Development is proposing to construct an approximately 9,100 square foot retail store for Dollar General. As a smaller scale formula retail chain, Dollar General is relatively new to California and sells various types of merchandise at a broad price range, including but not limited to apparel, toys, prepackaged foods, beverages and cosmetics. This project is proposed to be developed on a parcel located at the northern entrance to downtown Middletown, near Middletown High School, with frontage along Highway 29. This site is a highly visible, prominent location, so particular attention should be paid to building architecture, landscaping and lighting.

The applicant has also applied for a Parcel Map and the tentative map has been approved by the Planning Commission for this parcel.

10. **Surrounding Land Uses and Setting: Briefly describe the project's surroundings:**

~~XX ATTACHMENT 6 X~~

EXHIBIT L

The project is located at the North end of downtown Middletown. There are several independent retail and service oriented commercial parcels within the downtown commercial area. Most of the commercial uses located within downtown Middletown face the front property line and have a zero front yard setback. These buildings typically do not have pitched roofs.

The attached zoning map indicates that the parcel immediately to the North, across the Highway, is zoned "RR" Rural Residential and is developed with agricultural uses. The parcel to the East, across St. Helena Creek, is also zoned Rural Residential and is developed with a cemetery. The High school is located Northwest of the site on an Open Space zoned parcel. The parcels directly South of this site are residentially zoned and are developed residentially.

11. Other public agencies whose approval is required (e.g., Permits, financing approval, or participation agreement.)

Southlake County Fire Protection District/Cal Department of Forestry and Fire Protection
LACOSAN, Lake County Sanitation District
Callayomi County Water District
Department of Fish and Wildlife
Caltrans, California Department of Transportation

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Green House Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture & Forestry | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Population / Housing |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use / Planning | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Geology / Soils | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study prepared by:

Michalyn DelValle, Principal Planner


SIGNATURE

Date: 12/16/14

Robert Massarelli, Director
Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

KEY: 1 = Potentially Significant Impact
 2 = Less Than Significant with Mitigation Incorporation
 3 = Less Than Significant Impact
 4 = No Impact

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
I. AESTHETICS						
<i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?		X			<p>State Highway 29 is designated a scenic road by the Lake County General Plan. The project is in a mixed area that contains commercial, rural and residential uses. The approval of this Use Permit would allow construction of a new retail store building. In accordance with Article 34.2(b) the scenic combining district is not applied to commercial or industrial districts.</p> <p>The Lake County Zoning Ordinance and Middletown Area Plan include design criteria that recommend that the design of the building maintains and reinforces the unique scale and character of Middletown. Building fronts are orientated towards main roadways and sidewalks. Parking should be avoided between building fronts and roadways. The applicant has submitted revised elevations that incorporated these design elements. Staff is recommending that the Planning Commission act as the Design Review authority with respect to the building elevations and overall character of the project and determine if the architectural, signage and site elements proposed are adequate. Staff can provide final review of landscaping, parking, lighting and signage at the time of building permit application submission.</p> <p><u>Condition:</u> The Planning Commission shall act as the Design Review authority on this project. All exterior elements, lighting, trash storage areas, and landscaping shall be installed in accordance to the conditions of approval and approved plans and maintained for the life of the project unless modified herein by the Planning Commission. The Community Development Director or authorized representative may approve in writing, minor modifications that do not result in increased environmental impacts.</p> <p>Article 41 of the Zoning Ordinance includes requirements for landscaping and fencing when commercial uses are abutting residential yards. Landscaping is proposed by the applicant and includes trees, shrubs, perennials and grasses. Staff recommends that the landscaping plan be installed as planned and maintained for the life of the project.</p> <p>Mitigation: A landscaping and irrigation plan shall be submitted and</p>	1, 2, 3, 4, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>installed and maintained for the life of the project. All Landscaping shall be consistent with the regulations and standards of Section 41.9 of the Lake County Zoning Ordinance and the Model Water Efficient Landscaping Ordinance (Government Code Section 65591 Et. Seq).</p> <p>The Zoning Ordinance requires that all undeveloped areas be maintained in permanent vegetative or alternately landscaped with a combination of materials to control runoff. The applicant would like to maintain the undeveloped areas with aggregate base and be kept free of weeds and litter.</p> <p><u>Mitigation:</u> All undeveloped areas as shown on the landscape plan shall be maintained in aggregate base and be kept free of weeds and litter for the life of the project.</p> <p>When abutting a residential side or rear yard the Zoning Ordinance requires that the side and or rear yard be landscaped with a minimum of five feet or contain a six foot high fence. Staff recommends that a six foot high wooden fence or masonry wall be constructed on the southern property line.</p> <p><u>Mitigation:</u> A six foot high wooden fence or masonry wall shall be constructed along the entire southern property lines of the parcel.</p> <p>If the applicant proposed to install parking lot light poles, the light poles shall not exceed twenty (20) feet in height. The lights must be in conformance with Zoning Ordinance standards including that all exterior lighting accessory to any use shall be hooded, shielded or opaque. No unobstructed beam of light shall be directed beyond any exterior lot line or onto adjacent roads. No light use shall generate heat so that increased ambient air temperatures or radiant heat is measurable at any exterior lot line. All lighting equipment shall be consistent with that which is recommended on the website www.darksky.org</p> <p><u>Mitigation:</u> A lighting plan shall be submitted and all lighting shall be directed downwards onto the project site and not onto adjacent roads or properties. Lighting equipment shall be consistent with that which is recommended on the website: www.darksky.org and provisions of section 21.41.8 of the Zoning Ordinance.</p> <p>With the inclusion of the above mentioned mitigation this project will not result in the creation of a substantial adverse effect on a scenic vista.</p>	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		The Zoning Ordinance will require that future development on the proposed parcels have a thirty foot setback from top of bank of Saint Helena Creek, pursuant to the "WW" Waterway combining district.	1, 2, 3, 4, 5, 6,
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X	<p>The area in the vicinity of the project consists primarily of parcels developed with residential, institutional and commercial buildings. The lot is currently vacant with a variety of vegetation (see IV). Construction of a new Dollar General retail store will change the visual character of the site and its surroundings, as would any development of a vacant lot. The entire 3.74 acres is not currently proposed for development. Roughly 2.70 acres, the northern portion of the current parcel, at the time of this proposed project would remain vacant.</p> <p><u>Condition:</u> The use hereby permitted shall substantially conform to the site plan submitted on July 27, 2016 and building elevations (including signage) submitted on November 9, 2016 and any conditions of approval imposed by the use permit and the Design Review Authority. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts.</p>	1, 2, 3, 4, 5, 6

[illegible]

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>Lake County Air Quality Management District commented that the project has potential for short-term impacts, while long term impacts should be less than significant. Site preparation could result in temporary increases of fugitive dust from grading and construction activity, as construction equipment can be expected to produce intermittent noise, fumes and dust. Exposed surfaces should be adequately treated with water and or other palliatives to reduce fugitive dust and prevent complaints in the surrounding community.</p> <p>Significant dust impacts may be generated from vehicle traffic if driveways and parking area are not adequately surfaced during and after construction. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors and road traffic. Paving with asphaltic concrete should be required for all driveways, parking and loading areas. The project is located in close proximity to several schools and residences. The applicant must ensure that activities do not cause dust impacts to the schools, especially while students are present. Significant work activity with the potential to generate dust and other emissions should be scheduled when school is not in session.</p> <p>Mitigation: Prior to any ground disturbance a dust mitigation plan shall be reviewed and approved by the Lake County Air Quality Management Division prior to continuing construction. The plan must include the requirement that all construction that may generate dust is required to be completed before or after school is in session.</p> <p>Mobile diesel equipment used for construction and or maintenance must be compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator.</p> <p>Long term air quality impacts are discussed in the Green House Gas Emissions section VII.</p>	4, 5, 11, 37
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		The Lake County Air Basin is designated as an attainment area. Long term air quality impacts related to this project will be less than significant.	4, 5, 11
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X		The Lake County Air Basin is designated as an attainment area (at or below the standard). This project will contribute insignificant amounts of dust into the atmosphere and is not likely to impact residences or other sensitive receptor areas.	4, 5, 11
d) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>Future construction will contribute insignificant amounts of dust into the atmosphere and insignificant amounts of other pollutants. Although there is a school less than a mile from this location it is unlikely any local resident will be exposed to substantial pollutant concentrations with mitigations incorporated.</p> <p>Mitigation: Prior to any ground disturbance a dust mitigation plan shall be reviewed and approved by the Lake County Air Quality Management Division prior to continuing construction. The plan must include the requirement that all construction that may generate dust is required to be completed before or after school is in session.</p>	4, 5, 11
e) Create objectionable odors affecting a substantial number of people?				X	No new unusual odors are anticipated.	4, 5

IV. BIOLOGICAL RESOURCES

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<p>A botanical survey of vascular plants was conducted by Kerry Heise Botanical Consulting. The survey resulted in a total of 138 species and infra-specific taxa within 44 families were documented across the 3.4 acre parcel. There were no rare or endangered species or otherwise locally significant species found in the study area with the exception of the Valley Oak. The study recommended that the few mature Valley Oak and the more extensive valley oak vegetation Alliance along the stream terrace above St. Helena Creek within the study area are the last remaining large woody native vegetation on the parcel. Oaks are keystone species and support a diverse suite of native epiphytic bryophytes and lichens in addition to providing food and shelter to a myriad of other species of wildlife and invertebrates. All efforts should be made to preserve these trees and adopt them as important drought-tolerant landscape features. Additionally, although there will be no impact from the proposed development on the riparian area of St. Helena Creek, a plan to eradicate or control the infestation of Spanish brome as well as barbed goat grass which was very sparse during the study is highly recommended.</p> <p>Mitigation: The existing Valley Oak trees shall maintained for the life of the project, unless removal is required for safety reasons by California Department of Transportation.</p> <p>Mitigation: If any Valley oak tree five inches in diameter or larger is removed, tree(s) shall be replanted at a ratio of five to one and shall be maintained for five years. If trees die, they too shall be replanted and maintained for five years. Every practical effort shall be made to minimize impacts to all viable oak trees during development of this property.</p> <p>Due to the project causing a physical disturbance to habitat, the project will be subject to the Fish and Wildlife filing fee. This fee is used to defray the costs of managing and protecting California Fish and Wildlife resources.</p> <p>Condition: This use permit approval shall not become effective, operative, vested or final until the California Department of Fish and Wildlife filing fee required or authorized by Section 711.4 of the Fish and Wildlife Code is submitted by the property owner to the Community Development Department. Said fee shall be paid within 30 days of approval. Failure to pay said fee by the specified deadline shall result in this use permit automatically becoming null and void.</p>	4, 5, 14
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			See response in section IV a) above.	4, 5, 6, 13, 14, 17, 18, 19, 20
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			<p>There are no known wetlands, vernal pools, marsh land or serpentine soils in the project area. However, Saint Helena Creek traverses the project parcel. The "WW" Waterway combining district, which specifies setback regulations to protect riparian vegetation, will be applied during future construction. This Use Permit will not cause discharge of fill or material into the waterways. This project will have no effect on these sensitive habitats.</p> <p>Mitigation: All new construction shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system and Clear Lake. BMPs</p>	4, 5, 6, 14, 17, 18, 19, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	The project will not interfere with any migratory pattern of fish or wildlife or impede upon any identified wildlife corridors.	4, 5, 6, 14, 17, 18, 19, 20
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	This project will not conflict with any local policies or ordinances that protect biological resources.	1, 2, 3, 4, 5, 46, 47
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	1, 2, 3, 4, 5, 6, 13, 14, 17, 18, 19, 20
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X	A Cultural Resource survey was completed by Julia Franco and Janine Origer on May 28, 2015 which identified no cultural resources. However, in keeping with CEQA Guidelines, if archaeological resources are uncovered during construction, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds [§15064.5(f)]. <u>Condition:</u> Should any archaeological materials be discovered during construction of the new store, or installation of landscaping or irrigation all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist shall be retained to evaluate the find(s) and recommend mitigation measures, if necessary, subject to the approval of the Community Development Department.	1, 2, 3, 4, 5, 6, 7, 50
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?				X	See response in Section V a)	1, 2, 3, 4, 5, 6, 7
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	(see response in Section V a)	1, 2, 3, 4, 5, 6, 7
d) Disturb any human remains, including those interred outside of formal cemeteries?				X	(see response in Section V a)	1, 2, 3, 4, 5, 6, 7
VI. GEOLOGY AND SOILS <i>Would the project:</i>						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo Earthquake Fault Zoning Map issued by the State Geologist for				X	<u>Earthquake Faults</u> The project site is not within an Alquist-Priolo Earthquake Fault Zone as established by the California Geological Survey under the Alquist-Priolo Earthquake Fault Zoning Act and no active faults are known to pass through the project site. <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All construction is required to be built consistent with Current Seismic Safety construction standards.	1, 2, 3, 4, 5, 22, 23, 24, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>					<p><u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the area is considered generally stable.</p> <p>The project site contains soil type 147 and the main limitations are flooding.</p> <p><u>Condition:</u> All construction shall be reviewed and approved by a California-licensed professional civil engineer or architect, and be constructed to those specifications, subject to review and approval of the Community Development Department.</p>	
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>		X			<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil in the project area is: Kelsey fine sandy loam, 0 to 2 percent slope (soil unit 147). Surface runoff of this soil is slow and hazard of erosion is slight.</p> <p>The cumulative ground disturbance of the full development will not exceed one acre and therefore a general construction permit will not be required by the Central Valley Regional Water Quality Control Board.</p> <p>The project is located within a designated Flood Zone AE, base flood elevation ranging from 1088 to 1092.</p> <p>The Water Resources Department requests submittal and approval of engineered plans and calculations prior to start of construction. It appears from the topographic information that the structure may have to be elevated on fill to be above the base flood elevation as required by Chapter 25 of the County Code. Provisions must be made to prevent backup of storm water on the parcel to the southeast.</p> <p>Further, any elevation of this project site area would have to be designed to keep water on site, and the ground elevation to adjacent parcels addressed in the overall site design and drainage plan.</p> <p>Mitigation: Prior to issuance of the building permit, engineered plans and calculations shall be submitted and approved by the Department of Water Resources.</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p>Typical BMPs can be found in the California Storm water Quality Association Storm water Best Management Practices Handbooks, including the Construction Handbook and the New Development and Redevelopment Handbooks. Handbooks are available for purchase or download at http://www.cabmphandbooks.com</p> <p>Mitigation: All new construction shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system and Clear Lake. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in</p>	1, 2, 3, 4, 5, 6, 8, 12, 46

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>accordance with Chapter 29 of the Lake County Code.</p> <p>The post construction BMPs shall be maintained for the life of the project. An operation and maintenance plan for the post construction BMPs shall be developed and approved final occupancy of the building. A method of financing and performing the long term maintenance of the post construction BMPs in accordance with the approved operation and maintenance plan shall be established through a maintenance agreement or other means acceptable to the County prior to occupancy.</p> <p>Mitigation: Prior to start of construction, an operation and maintenance plan for the post construction BMPs shall be developed and approved. The post construction BMPs shall be maintained for the life of the project.</p> <p>Mitigation: Prior to occupancy, a method of financing and performing the long term maintenance of the post construction BMPs in accordance with the approved operation and maintenance plan shall be established through a maintenance agreement or other means acceptable to the Department of Public Works.</p>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		The project will be located on soils that are identified as generally stable. See response to Section VI a).	1, 2, 3, 4, 5, 6, 8, 23, 24, 25, 12
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X		This project is not located on soils known to be expansive.	1, 2, 3, 4, 5, 6, 8, 23, 24, 25, 12
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X		The site will be served by public sewer.	1, 2, 3, 4, 5, 6, 8, 23, 24, 25, 42, 43
VII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		<p>Air emissions will result from the use of standard construction equipment to construct the building. Combustion engine emissions will be temporary and will not result in a significant impact to air quality standards. During the construction period, construction equipment will produce combustion emissions including criteria pollutants. (Carbon Monoxide – CO, Carbon Dioxide - CO₂, Nitrogen Dioxide – NO₂, Sulfur Dioxide – SO₂, and Particulate Matter less than 2.5 and 10 microns – PM_{2.5} & PM₁₀.) Ozone is not emitted directly into the environment but is formed in the atmosphere by complex chemical reactions between oxides of nitrogen and reactive organic gasses (ROG) in the presence of sunlight. Ozone formation is greatest on warm, windless, sunny days. The main sources of nitrogen oxides (NOx) and ROG, often referred to as ozone precursors, are a result of combustion processes.</p> <p>The California Emissions Estimator Model (CalEEMod) version 2011.1 air quality monitoring software was utilized to estimate air emissions. This software is designed to calculate air emissions from land use development based on standard assumption for construction projects. Calculated air pollutants were evaluated in comparison to Lake County Air Quality Management District stationary source thresholds for new source permitting.</p>	1, 2, 3, 4, 5, 11

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**																																																																													
					<table border="1"> <thead> <tr> <th colspan="7">CalEEMod Summary Report for Annual Emissions (Tons/Year)</th></tr> <tr> <th>ROG</th><th>NO_x</th><th>CO</th><th>SO₂</th><th>PM₁₀</th><th>PM_{2.5}</th><th>CO₂</th></tr> </thead> <tbody> <tr> <td colspan="7">Construction 2014 Totals</td></tr> <tr> <td>.27</td><td>1.13</td><td>.68</td><td>0.00</td><td>.08</td><td>.08</td><td>105.58</td></tr> <tr> <td colspan="7">Annual Operational Totals</td></tr> <tr> <td>.46</td><td>1.12</td><td>3.64</td><td>.01</td><td>.5</td><td>.04</td><td>531.37</td></tr> <tr> <td colspan="7">Insignificant Source Thresholds</td></tr> <tr> <td>2</td><td>2</td><td>2</td><td>2</td><td>NE</td><td>NE</td><td>NE</td></tr> <tr> <td colspan="7">Major Source Thresholds</td></tr> <tr> <td>50</td><td>50</td><td>100</td><td>100</td><td>70</td><td>NE</td><td>NE</td></tr> <tr> <td colspan="7">NE = Not Established</td></tr> </tbody> </table> <p>This project is unlikely to result in a violation of an air quality standard.</p>	CalEEMod Summary Report for Annual Emissions (Tons/Year)							ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}	CO ₂	Construction 2014 Totals							.27	1.13	.68	0.00	.08	.08	105.58	Annual Operational Totals							.46	1.12	3.64	.01	.5	.04	531.37	Insignificant Source Thresholds							2	2	2	2	NE	NE	NE	Major Source Thresholds							50	50	100	100	70	NE	NE	NE = Not Established							
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.	1, 2, 3, 4, 5, 11																																																																													
VIII. HAZARDS AND HAZARDOUS MATERIALS																																																																																			
<i>Would the project:</i>																																																																																			
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	<p>This project does propose the use of hazardous materials. However some of the items that may be sold at the retail store may be considered hazardous.</p> <p><u>Condition:</u> The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.</p> <p>Please see Section g) below for additional mitigations.</p>	1, 2, 3, 4, 5, 6, 26, 27																																																																													
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	See response to Section VIII a).	1, 2, 3, 4, 5, 6, 26, 27																																																																													
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	There is an existing school located less than a quarter of a mile this proposal. This proposal is not likely to emit hazardous emissions or substances. If hazardous materials are to be handled or stored the retail store must comply with all applicable local, state and federal safety standards.	1, 2, 3, 4, 5, 6, 26, 27																																																																													
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	Property is not listed as a site containing hazardous materials in the database maintained by the Environmental Protection Agency.	1, 2, 3, 4, 5, 6, 26, 27, 31																																																																													
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or				X	Project is not located within an airport land use plan or within 2 miles of an airport.	1, 2, 3, 4, 5, 6, 26, 27, 28																																																																													

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
working in the project area?						
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	Project is not located within an airport land use plan.	1, 2, 3, 4, 5, 6, 26, 27, 28
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	<p>The project would not impair or interfere with an adopted emergency response or evacuation plan. Is it located on Highway 29 in Middletown.</p> <p>The Southlake County Fire Protection District/Calfire provides year round fire protection services to the project area.</p> <p>Any proposed construction on the site will be subject to the requirements of the California Fire Code and NFPA standards and the Public resource Code. The need for fire hydrants and supporting water storage will be determined by the Kelseyville Fire Protection District. Sprinkler systems, portable fire extinguishers, fire hose reels and other fire protection methods may need to be provided as required by the California Fire Code and the Fire Chief.</p> <p>The project may be subject to Fire Mitigation Fees. Once plans are submitted those fees may be calculated if applicable.</p> <p>Fire access Roads shall meet the requirements of California Fire Code.</p> <p>Premise Identification approved address numbers shall be placed on all buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.</p> <p>Key Box – A rapid entry lock box, approved by this fire district will be required if a gate is installed.</p> <p>Water Supply – An approved water supply capable of supplying the required fire flow for fire protection shall be made available for the Development.</p> <p>All requirements shall be met including but not limited to installation of fire hydrants, fire extinguishers, signage, egress and ingress, fuel breaks, setbacks and from property lines.</p> <p><u>Condition:</u> Prior to occupancy, the permit holder shall comply with all of the requirements of the Southlake County Fire Protection District.</p>	1, 2, 3, 4, 5, 6, 26, 27
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X		<p>The entire parcel is located in Southlake County Fire Protection District with a high fire hazard rating and Calfire.</p> <p><u>Condition:</u> Prior to occupancy, the permit holder shall comply with all of the requirements of the Southlake County Fire Protection District.</p> <p>Due to Calfire's required 30 foot setback from all property lines if the property is over an acre in size, final recordation of Parcel Map, PM 15-02 will need to be completed prior to issuance of a building permit.</p> <p><u>Condition:</u> Final Map recordation of Parcel Map, PM 15-02 is required prior to issuance of building permit. Alternatively the site plan may be modified as required by Calfire.</p> <p>With the incorporation of conditions noted in this section this project will not result in significant impacts to hazards and hazardous materials.</p>	1, 2, 3, 4, 5, 6, 26, 27, 29
IX. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>						
a) Violate any water quality			X		This proposal is not anticipated to violate any water quality standards or	1, 2, 3, 4,

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
standards or waste discharge requirements?					waste discharge requirements. The full development of the project is not expected to disturb more than one acre of soil and therefore will not be required to apply for a Construction Storm Water General Permit.	5, 6, 30, 32, 33
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?				X	The project would not deplete groundwater supplies or interfere with groundwater recharge. Well use is not proposed by the project.	1, 2, 3, 4, 5, 6, 30, 32, 33
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site?				X	Approval of the project would not alter the existing drainage pattern of the site or area. Future development on the proposed parcels will have a thirty foot setback from top of bank of St. Helena Creek.	1, 2, 3, 4, 5, 6, 8, 12, 30, 32, 33, 50
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?		X			<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil in the project area is: Kelsey fine sandy loam, 0 to 2 percent slope (soil unit 147). Surface runoff of this soil is slow and hazard of erosion is slight.</p> <p>The cumulative ground disturbance of the full development will not exceed one acre and therefore a general construction permit will not be required by the Central Valley Regional Water Quality Control Board.</p> <p>The project is located within a designated Flood Zone AE, base flood elevation ranging from 1088 to 1092.</p> <p>The Water Resources Department requests submittal and approval of engineered plans and calculations prior to start of construction. It appears from the topographic information that the structure may have to be elevated on fill to be above the base flood elevation as required by Chapter 25 of the County Code. Provisions must be made to prevent backup of storm water on the parcel to the southeast.</p> <p>Further, any elevation of this project site area would have to be designed to keep water on site, and the ground elevation to adjacent parcels addressed in the overall site design and drainage plan.</p> <p>Mitigation: Prior to issuance of the building permit, engineered plans and calculations shall be submitted and approved by the Department of Water Resources.</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p>Typical BMPs can be found in the California Storm water Quality Association Storm water Best Management Practices Handbooks, including the Construction Handbook and the New Development and Redevelopment Handbooks. Handbooks are available for purchase or download at http://www.cabmphandbooks.com</p>	1, 2, 3, 4, 5, 6, 8, 12, 30, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>Mitigation: All new construction shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system and Clear Lake. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p>The post construction BMPs shall be maintained for the life of the project. An operation and maintenance plan for the post construction BMPs shall be developed and approved final occupancy of the building. A method of financing and performing the long term maintenance of the post construction BMPs in accordance with the approved operation and maintenance plan shall be established through a maintenance agreement or other means acceptable to the County prior to occupancy.</p> <p>Mitigation: Prior to start of construction, an operation and maintenance plan for the post construction BMPs shall be developed and approved. The post construction BMPs shall be maintained for the life of the project.</p> <p>Mitigation: Prior to occupancy, a method of financing and performing the long term maintenance of the post construction BMPs in accordance with the approved operation and maintenance plan shall be established through a maintenance agreement or other means acceptable to the Department of Public Works.</p>	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X	See response to Section IX c) and Section VI b).	1, 2, 3, 4, 5, 6, 8, 12, 30, 32, 33, 42
f) Otherwise substantially degrade water quality?				X	The project is unlikely to degrade water quality. See Section IX a).	1, 2, 3, 4, 5, 6, 8, 12, 30, 32, 33, 42
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	This proposal does not include construction of housing. Future construction will likely be placed within flood zone x, which is defined as areas of minimal flooding-not in a special flood hazard area. Any future construction would be required to meet watercourse setbacks and Lake County Code.	1, 2, 3, 4, 5, 6, 32, 33, 34
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	See response to Section IX g).	1, 2, 3, 4, 5, 6, 32, 33, 34
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	There is no levee or dam located within the project area that could induce flooding within the project area.	1, 2, 3, 4, 5, 6, 32, 33, 34, 47
j) Inundation by seiche, tsunami, or mudflow?			X		The project site is not located in an area of potential inundation by seiche or tsunami. BMPs and erosion control measures required at the time of construction/grading will reduce the potential for mudflows to less than significant.	1, 2, 3, 4, 5, 6, 32, 33, 34, 47
X. LAND USE AND PLANNING <i>Would the project:</i>						
a) Physically divide an established community?				X	The project will not divide a community. This project is located within the community of Middletown and in a downtown commercial area already developed with commercial businesses.	1, 2, 3, 4, 5, 6
b) Conflict with any applicable land use plan, policy, or regulation of an				X	Retail sales are a use permitted within the Local Commercial zoning district. When the use is conducted within a building larger than eight	1, 2, 3, 4, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					<p>thousand square feet approval of a Major Use Permit is required.</p> <p>The following findings are required to be made for a Major Use Permit. A few of these are purposely open to interpretation, perspective, public interest, priorities and concerns and therefore rely on the Planning Commission and Board of Supervisors for a determination of finding. Suggested modifications of the application can be made, and if modifications are not feasible then the application may be denied:</p> <ol style="list-style-type: none"> 1. This project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the area of the proposed use, or be detrimental to property and improvements in the neighborhood or the general welfare of the County. The project will bring general merchandise at an affordable price within close proximity to a large number of residents, many within walking distance. This can reduce the number of trips, and overall vehicle miles of travel (VMT) induced by the lack of diverse goods at affordable prices in this part of south county. It will also generate sales tax revenue, and bring four to eight job opportunities to the area. There are no evident threats to public health or safety presented by the proposal. The general welfare of the community has to take into account many factors and weigh which will be of most benefit to the community in the long run. 2. The site is adequate in size, shape, locations, and physical characteristics to accommodate the type of use and level of development proposed. Yes. 3. The streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the proposed use. Yes. 4. There are adequate services to serve the project. Yes. 5. This project is consistent with the Lake County General Plan, Middletown Area Plan and Zoning Ordinance. The project is consistent with many General Plan and Middletown Area Plan Policies in addition to those mentioned earlier in this report. Most of these address access to goods, services and jobs. There are also several policies in the Middletown Area Plan that may be interpreted as unsupportive of the proposed project: Objective 6.1.1, and the Policies therein: "Expand economic activity in Middletown that builds on the community's strengths and reinforces its small town character"; Objective 3.7.2f "Strip commercial development shall be discouraged because of its negative impact to scenic resources and negative economic impacts"; Objective 3.7.4e "Create a streamside walking path along St.Helena Creek from the Perry's Deli area to the Butts Canyon Road Bridge"; Objective 5.1.2c " "Formula" or "franchise" business structures, signs and box stores within and surrounding the Planning Area that detract from the small-town rural character shall be generally discouraged unless architecture and signage are made compatible with local themes." 6. No violation of Chapter 5, 17, 21, 23 or 26 of the Lake County Code currently exists on this property. No violations exist. 7. This project is compatible with surrounding land uses. As the surrounding area is a mix of uses and development patterns it is not incompatible. 8. This project will not result in any significant environmental impacts with the recommended mitigations incorporated. A mitigated negative declaration has been recommended and adopted. The parcel is in a flood zone, and will have to sculpt the land surface to accommodate the proposed 	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>development.</p> <p>DESIGN REVIEW This project is proposed for a parcel located at the northern entryway to downtown Middletown along State Highway 29. As this site is highly visible from S. Highway 29, a prominent location, particular attention should be paid to building architecture, overall site design, landscaping, signage and lighting. The Middletown Design guidelines, Middletown Area Plan, recommend that building designs maintain and reinforce the unique scale and character of existing Middletown "Main Street" architecture. Building facades are to be orientated towards main roadways and sidewalks. Parking should be avoided between building fronts and roadways. The applicant has submitted the attached elevations (Attachment 2) that incorporated these design elements. Staff is recommending that the Planning Commission act as the Design Review authority with respect to the building elevations, and determine if the architectural elements proposed are adequate.</p> <p>Article 41 of the Zoning Ordinance includes requirements for landscaping and fencing when commercial uses are abutting residential yards. Staff recommends that landscaping and irrigation be installed and maintained for the life of the project.</p> <p>The applicant has indicated that signage will be submitted at a later date. Future signage should be designed in accordance with Section 21-45.11 of the Zoning Ordinance, and will be limited to 95 square feet. Additionally, signage may only consist of a combination wall sign, roof or a projecting sign and be in keeping with the adopted Commercial Design Guidelines.</p> <p>The eight required findings for approval of a Design Review Permit follow. Alternatively modification of the application can be made and if modifications are not feasible then the application may be denied.</p> <ol style="list-style-type: none"> 1. That the proposed use is a permitted use in the district where located. The C1 zoning district allows retail sales. 2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed. This parcel is currently over 3.7 acres. Upon approval of the Parcel Map the parcel where construction is proposed would be .96 acres. This parcel is located at the northern edge of downtown Middletown. 3. That there are adequate public or private services, including but not limited to fire protection, water supply and sewage disposal. This site is served by public water and sewer and will need to comply with the local Fire District rules and regulations. 4. That the project is in conformance with the applicable provisions and policies of this chapter, the Lake County General Plan and any approved zoning or land use study or plan. This project is generally consistent with many of the policies contained within the Middletown Area Plan, and is generally consistent with the Zoning Ordinance and many policies in the Lake County General Plan. (See response to IV.5) Please see attachment #3, Middletown Commercial Design Guidelines. 5. That the placement and design of the buildings and structures are compatible with existing development and will not detract from the visual 	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>setting.</p> <p>The existing development in the vicinity consists of various commercial buildings and a school. Most of the commercial buildings do not have pitched roofs and are facing front property lines. Nearby commercial uses to the south, are older, auto oriented businesses, however, across from the proposed development, the two institutional uses comply with the design criteria. (See also IV.7, and attachment #3, Middletown Commercial Design Guidelines.) As proposed the project design meets many of the design standards, but does not meet all of them. For example, the store is not located at the sidewalk, with the entrance facing front, with parking behind or to the side.</p> <p>6. That the project is in conformance with any applicable community design manual criteria. Please see responses to 4 and 5 above.</p> <p>The County shall ensure that new development respects Lake County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion which is compatible with the scale of surrounding structures.</p> <p>7. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use. Improvements including, but not limited to curb, gutter sidewalk, transit stop and Highway Improvements are included as conditions of approval, see Attachment 4.</p> <p>8. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.</p> <p>The property does not have any active violations of County Code.</p> <p>The proposed project is in conformance with applicable provisions of the Zoning Ordinance and General Plan, Particularly General Plan Policy LU-4.3, Visitor Oriented Retail Recruitment "The County shall continue to recruit visitor-oriented retail businesses into its pedestrian friendly shopping districts.....".</p>	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	The project is not in conflict with any conservation plans.	1, 2, 3, 4, 5, 6
XI. MINERAL RESOURCES						
<i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The Aggregate Resource Management Plan (ARMP) does not identify this project as having an important source of aggregate.	1, 2, 3, 4, 5, 6, 35
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	See response to Section XI a).	1, 2, 3, 4, 5, 6, 35
XII. NOISE						
<i>Would the project result in:</i>						
a) Exposure of persons to or generation of noise levels in excess of		X			Construction activities associated with this project is unlikely to expose anyone to noise levels in excess of established noise standards.	1, 2, 3, 4, 5, 6

[illegible]

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: b) Fire Protection? Police Protection? Schools? Parks? Other Public Facilities?				X	Government facilities will not be impacted by the project. The project will be required to meet current fire regulations. The Sheriff's Department did not express a concern with the project. <u>Condition:</u> Prior to final occupancy, the permit holder shall comply with all rules and regulations of the Southlake Fire Protection District.	1, 2, 3, 4, 5, 6
XV. RECREATION <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		The project will not increase population so as to induce substantial deterioration of existing recreational facilities. The proposed project will not be subject to the payment of park fees as outlined in section 17-27 of the Lake County Subdivision Ordinance.	1, 2, 3, 4, 5, 6
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X		Resulting population growth associated with proposed project will not require the expansion or construction of community recreational facilities.	1, 2, 3, 4, 5, 6
XVI. TRANSPORTATION / TRAFFIC <i>Would the project:</i>						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		X			The Lake Transit Authority has requested pedestrian improvements be provided for future shoppers. They also requested that a Transit Stop be provided <u>Mitigation:</u> A transit stop shall be installed in accordance with Lake Transit rules and regulations or an in lieu fee shall be paid to the Lake Transit Authority. <u>Mitigation:</u> All handicap parking areas, routes of travel (pedestrian paths, walkways and sidewalks), building access and bathrooms shall meet American with Disabilities Act (ADA) requirements and be subject to review and approval of a CASp, Certified Accessibility Access Specialist. <u>Mitigation:</u> Construction, circulation, access and pedestrian improvements including sidewalks to the site shall be provided. Minor modifications not resulting in increased environmental impact may be approved in writing by the Community Development Director. The total number of required parking spaces required in accordance with the Lake County Zoning Ordinance Article 46, Section.46.5 (b)2 is seventeen spaces or one (1) space per four hundred square feet of floor area for structures exceeding five thousand (5,000) square feet of floor area, whichever is greater. Therefore twenty-three (23) spaces is required for the	1, 2, 3, 4, 5, 6, 36, 37, 38, 39, 40

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>proposed construction. The applicant is proposing twenty-three (23) parking spaces.</p> <p>Mitigation: All twenty-three (23) parking spaces (two handicap) as shown on the submitted site plan shall be provided. A minimum of one van accessible handicapped parking stall fourteen (14) feet in width and twenty (20) feet in length is required per the Lake County Zoning Ordinance. All handicap parking shall meet the requirements of the State Building Code. Up to three compact parking spaces 7.5 feet in width and 16 feet in length (7.5x16) can be provided by the permit holder to replace the required 9x20 parking spaces if necessary.</p> <p>Mitigation: A minimum of one (1) post or rail type bicycle rack or similar device shall be provided. The bicycle rack shall be located near the entrance of the building and shall not interfere with vehicular or pedestrian circulation and be designed to provide for locking of the bicycle to the rack.</p> <p>Mitigation: An area within the parking lot shall be required for the storage of shopping carts. These storage areas shall be specifically marked as such and shall be constructed in a manner which will physically contain the carts and not interfere with vehicular or pedestrian circulation.</p> <p>Mitigation: Prior to occupancy, the driveway and parking areas shall be surfaced with a minimum of asphalt, cement, or other appropriate pavement material with the exception of the access which shall be constructed to the Caltrans Commercial Road Approach standards. All necessary commercial encroachment permits shall be obtained from the California Department of Transportation (Caltrans).</p> <p>Mitigation: An encroachment permit shall be obtained from the California Department of Transportation (Caltrans) for all sidewalks and or pedestrians routes located within the State right of way.</p>	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X	This project will not conflict with any applicable congestion management program or other standards established by the county congestion management agency.	1, 2, 3, 4, 5, 6, 36, 37, 38, 39, 40
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	The project does not involve any impact to air traffic patterns.	1, 2, 3, 4, 5, 6, 36, 37, 38, 39, 40
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	The project will not increase hazardous conditions due to design features or incompatible uses. As discussed in section XVI (a) above, the driveway accessing the parcels will need to be improved to state standards and a Caltrans inspector must sign off completion of that driveway.	1, 2, 3, 4, 5, 6, 36, 37, 38, 39, 40
e) Result in inadequate emergency access?			X		The project will not impact existing emergency access.	1, 2, 3, 4, 5, 6, 26, 36, 37, 38, 39, 40, 41
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such				X	The project will not conflict with adopted policies regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities.	1, 2, 3, 4, 5, 6, 36, 37, 38, 39, 40

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
facilities?						
XVII. UTILITIES AND SERVICE SYSTEMS						
<i>Would the project:</i>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X	The project site as designed is serviced by LACOSAN, Lake County Sanitation District. Lacosan has indicated that the project has the capacity to serve the project. Connections to LACOSAN shall be made in accordance with the rules, regulations, policies, procedures and ordinances in effect at the time of application. <u>Condition:</u> The permit holder shall comply with all requirements of LACOSAN for sewer service.	1, 2, 3, 4, 5, 6, 42, 43, 44
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	Callayomi County Water Company indicated that they have enough capacity to serve the project. <u>Condition:</u> The permit holder shall comply with all requirements of Callayomi County Water Company for water service. The permit holder must comply with all requirements of the California Retail Food Code (Cal Code) and the requirements of the Lake County Division of Environmental Health. <u>Condition:</u> Prior issuance of a building permit, a food facility plan check must be approved by the Environmental Health Division. <u>Condition:</u> Prior to occupancy, a food facility permit to operate must be obtained and an opening inspection completed by the Environmental Health Division.	1, 2, 3, 4, 5, 6, 42, 43, 44, 49
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		This project is proposing construction of new onsite storm water drainage swales. This will not cause significant environmental effects. See response to Section IX c)	1, 2, 3, 4, 5, 6, 35
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X	Callayomi County Water District did not express a concern with being able to serve the project.	1, 2, 3, 4, 5, 6, 42, 43, 44
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	See response to Section XVII a).	1, 2, 3, 4, 5, 6, 42, 43, 44
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X	The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.	1, 2, 3, 4, 5, 6, 48
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X	All requirements related to solid waste will apply to this project.	1, 2, 3, 4, 5, 6, 48
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal		X			As discussed in the previous sections of this initial study, the proposed project would have the potential to degrade the quality of the environment. Potentially significant impacts have been identified related to, Biological Resources, and Cultural Resources. Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental	1, 2, 3, 4, 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					impacts.	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			See discussion above under XVII.a	ALL
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, to Air Quality, Biological Resources, Cultural Resources, Traffic and Transportation and Geology/Soils have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	ALL

Source List

1. Lake County General Plan
2. Middletown Area Plan
3. Lake County Zoning Ordinance
4. Site Visit, 2015-2016
5. Community Development Department Application
6. U.S.G.S. Topographic Maps
7. California Historical Resources Information System
8. U.S.D.A. Lake County Soil Survey
9. Lake County Important Farmland 2006 map, California Department of Conservation Farmland Mapping and Monitoring Program
10. Lake County Agricultural Commissioner
11. Lake County Air Quality Management District
12. U.S.D.A. Natural Resources Conservation Service
13. Lake County Serpentine Soil mapping
14. California Natural Diversity Database
15. Kerry Heise Botanical Consulting Biological Report
16. N/A
17. California Department of Fish and Game
18. U.S. Army Corps of Engineers
19. U.S. Fish and Wildlife Service National Wetlands Inventory
20. Water Resources Division, Lake County Department of Public Works wetlands mapping
21. N/A
22. Official Alquist Priolo Earthquake Fault Zone maps for Lake County
23. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanics, Northern California, Miscellaneous Investigation Series, 1995
24. Lawrence Livermore landslide map series for Lake County, 1979
25. Landslide Hazard Identification Map
26. Lake County Emergency Management Plan
27. Lake County Hazardous Waste Management Plan, adopted 1989
28. Lake County Airport Land Use Compatibility Plan, adopted 1992

29. California Department of Forestry and Fire Protection, fire hazard mapping
 30. National Pollution Discharge Elimination System (NPDES)
 31. Environmental Protection Agency
 32. site specific drainage plans
 33. Lake County Drainage master plan
 34. FEMA flood hazard maps
 35. Lake County Aggregate Resource Management Plan
 36. Lake County Department of Public Works, Roads Division
 37. California Department of Transportation
 38. Lake County Bicycle Plan
 39. Lake County Transit for Bus Routes
 40. N/A
 41. Southlake Fire Protection District/Calfire
 42. California Regional Water Quality Control Board
 43. Lake County Environmental Health Division
 44. Lake County Special Districts
 45. N/A
 46. Lake County Grading Ordinance
 47. Lake County Natural Hazard database
 48. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
 49. Callayomi County Water Company
 50. Cultural Resource Study by Julia Franco and Janine Origer on May 28, 2015
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