



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

ITEM #2

9:15 A.M.

February 22, 2018

STAFF REPORT

TO: Planning Commission

FROM: Robert Massarelli, Community Development Director
Prepared by: Eric Porter, Associate Planner

DATE: January 17, 2018

SUBJECT: Clearlake Estates Subdivision Map Extension SDX 17-12, SD 04-01 and IS 04-05, Supervisorial District 5

ATTACHMENTS:

1. Vicinity Map - **BOS Exhibit A**
2. Subdivision 04-01 Conditions - BOS Exhibit C
3. Tentative Map - BOS Exhibit D
4. Initial Study 04-05 - BOS Exhibit E

I. SUMMARY AND DISCUSSION

On January 27, 2005, the Planning Commission approved a tentative subdivision map for the division of approximately 55 acres to create 12 residential lots and one remainder parcel. The approval included measures to mitigate environmental impacts related to steep topography, seismic hazards and extreme fire hazard.

A series of state initiated extensions provided automatic extensions to this tentative subdivision map for the next nine years, expiring on January 13, 2018. The applicant submitted a request for extension of the project on December 13, 2017. The project went through agency review and it was determined that the original approval decision was consistent with the applicable governing ordinances, as well as the original approval standards and criteria from 2005.

The subject site is located within the Riviera Area Plan, and is immediately adjacent to (but outside) the Clearlake Riviera within the Area Plan. With the adoption of the Riviera Area Plan on January 9, 2007, the property changed zoning from R1-B3 (Low Density Residential with a 40,000 square foot lot minimum) and 'U' (Undetermined) zoning to Rural Lands and Rural Residential zoning. The General Plan designation changed from Suburban Residential to Rural Lands and Rural Residential. The entire property is greater than 20% slope, and most of it is greater than 30% slope. Some of the lots are no longer in conformance with the Lake County Zoning Ordinance and Lake County General Plan due to the Riviera Area Plan.

Exhibit E

Staff recommends that the Planning Commission recommend approval of the three-year time extension to the Board of Supervisors.

II. PROJECT DESCRIPTION

Applicant: Mitch Thurston

Owner: Clearlake Estates LLC, Mitch Thurston Manager

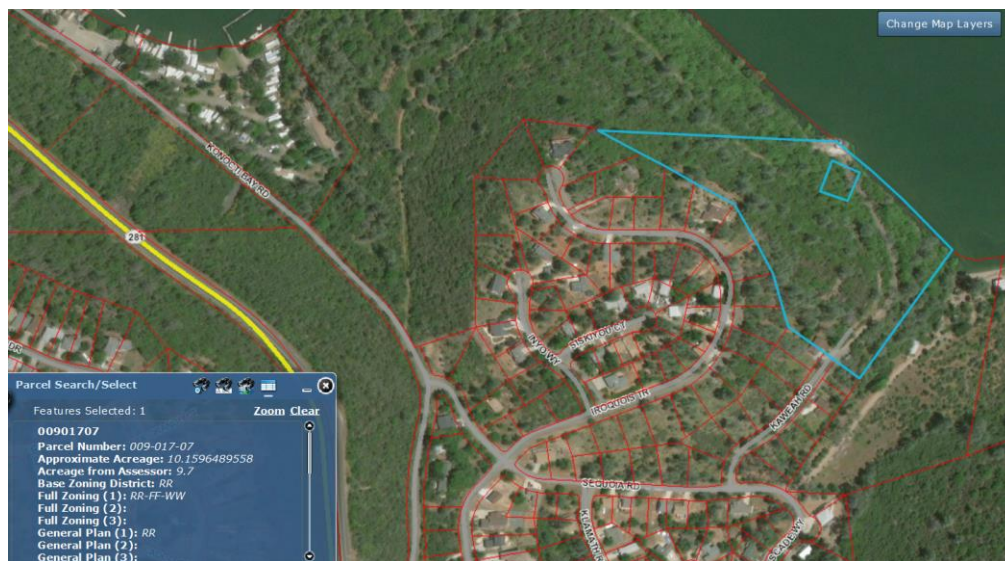
Location: 9555 Highway 281 and 4619 Kaweah Road, Kelseyville, CA

APNs: 009-017-07 and 009-004-22

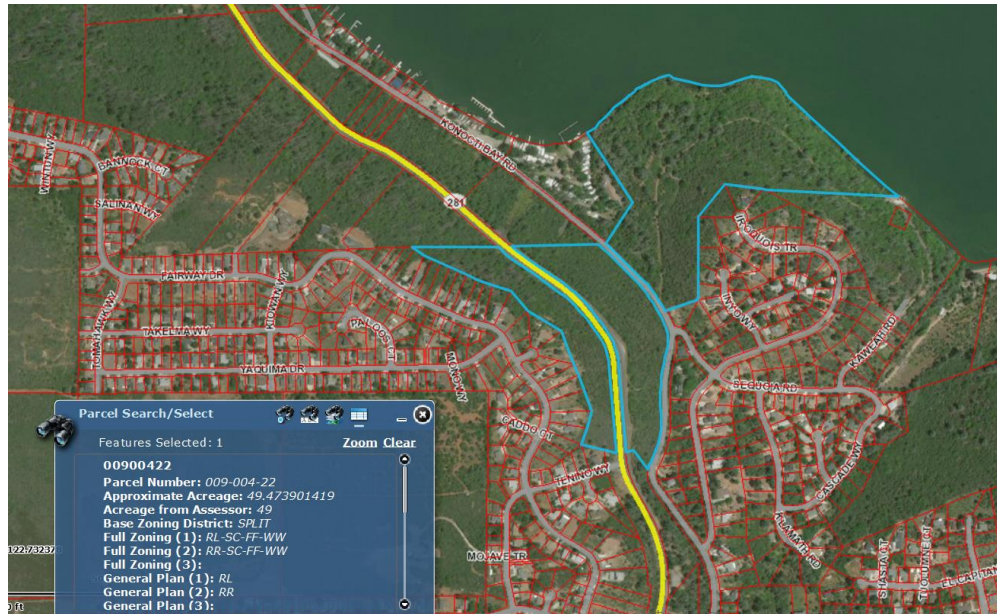
General Plan Designation: Rural Residential, Rural Lands

Zoning: "RL-SC-FF-WW", Rural Lands – Scenic Combining – Floodway Fringe – Waterway;
"RR-SC-FF-WW", Rural Residential – Scenic Combining – Floodway Fringe – Waterway;
"RR-FF-WW", Rural Residential – Floodway Fringe - Waterway

Original Approval Date: January 27, 2005



APN 009-017-07



APN 009-004-22

III. CONDITIONS OF APPROVAL

The original Conditions of Approval are included as Attachment 2. The conditions have yet to be satisfied with the exception of the Fish and Wildlife Fee which has been paid. Several of the conditions are required to be satisfied prior to recordation of final map including but not limited to construction of a new roadway, road dedications and installation of fire hydrants.

IV. SUBDIVISION MAP ACT

The State Subdivision Map Act authorizes the extension of an approved map for a period or periods not exceeding a total of six years. The Board of Supervisors approved a two-year time extension in 2006. Staff is recommending a three-year time extension.

V. RECOMMENDATION

Staff recommends that the Planning Commission recommend that the Board of Supervisors:

- A. Find that the previously approved mitigated negative declaration meets the requirements of Section 15162(a) of the State CEQA Guidelines, and that no additional environmental review need be prepared, with the following findings:
 1. There has been no change in the project that would create new significant environmental impacts.

2. There has been no substantial change in circumstances resulting in new significant environmental impacts.
 3. No new information of substantial importance to the project has become available.
- B. Approve a three-year extension of time with the following findings:
1. The tentative parcel map is consistent with the Lake County General Plan, Lakeport Area Plan and Zoning Ordinance.
 2. The time extension request is consistent with the Lake County Subdivision Ordinance.
 3. There has been no substantial change in circumstances resulting in new significant environmental impacts.
 4. There has been no substantial change in the physical suitability for the type of development and proposed density.

Sample Motions:

A. Reconsideration of previous Mitigated Negative Declaration:

I move that the Planning Commission find that on the basis of the Initial Study IS 04-05 that a tentative subdivision map applied for by Mitch Thurston representing the Clearlake Estates LLC will not have a significant effect on the environment and therefore, a mitigated negative declaration shall be issued with the findings listed, and the conditions contained within the staff report dated January 17, 2018.

B. Subdivision Map Time Extension

I move that the Planning Commission recommend that the Board of Supervisors approve an extension of time for SD 04-01 for a period of three (3) years to January 27, 2021, with the findings listed in the staff report dated January 17, 2018.

NOTE: The applicant or any interested person is reminded that the subdivision ordinance provides for a fifteen (15) 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 fifteenth calendar day following the Commission's final determination.

Reviewed by:

