



## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

#### Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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ITEM #3

9:20 A.M.

April 9, 2020

## STAFF REPORT

**TO:** Planning Commission

**FROM:** Scott De Leon, Interim Community Development Director  
Victoria Kim, Assistant Planner

**DATE:** March 16, 2020

**SUBJECT:** Valley Oaks Tentative Subdivision Map Extension SDX 19-02, SD 06-01, Final Environmental Impact Report (FEIR) based on IS 06-11, Supervisorial District 1

**ATTACHMENTS:**

1. Vicinity Map
2. Tentative Subdivision 06-01 Conditions
3. Tentative Map
4. FEIR Available Upon Request

### **I. EXECUTIVE SUMMARY**

On January 25, 2018, the Planning Commission approved a tentative subdivision map for the division of approximately 150 acres to create 137 residential lots. Staff recommends that the Planning Commission make a recommendation of approval of a two-year extension to the Board of Supervisors.

### **II. PROJECT DESCRIPTION**

Applicant: Valley Oaks Land and Development Inc.

Location: 18196 and 18426 South State Highway 29, Middletown

APNs: 014-260-36 & 51

General Plan: "O-FF-SC-FW-PDR-PDC" Open Space; Flood Fringe Combining; Scenic Combining; Floodway Combining; Planned Development Residential; Planned Development Commercial Districts

Zoning: Agriculture, Resource Conservation, and Public Facilities

Approval Date: January 25, 2018

### III. DISCUSSION

A tentative subdivision map was approved by the Planning Commission on January 25, 2018. The State Subdivision Map Act allows the granting of extensions for a period or periods not exceeding a total of eight years. This is the applicant's first extension request.

The Valley Oaks project consists of a planned development, mixed-use commercial and residential community. The project would be developed in phases, over a period of at least five years. The first Specific Subplan (UP 19-09), single phase or parcel of Development for the Valley Oaks project was approved on February 18, 2020. Development of five "village commercial" parcels that encompass approximately 43.18 acres of the project site, including 105,000 to 120,000 square feet of retail space that includes a grocery store, drug and general merchandise store, and other retail uses; and 85,000 to 110,000 square feet of commercial uses that include a movie theater, motel, and general office uses. The village commercial area would also include a 49-bed senior care/assisted living facility. Proposed recreational and open space improvements include a 19.82-acre linear park, a 3.26-acre centrally located active recreation park, a 0.5-acre open space park, and a 5.31-acre frontage trail and park area along Highway 29.

The project sites that the Planning Commission reviewed and approved (for which the FEIR was prepared), include a General Plan Amendment (GPAP 05-03, RZ 05-02) from Agriculture and Rural Residential to Community Commercial and Low Density Residential; a Rezone from "A" to "PDC-DR" and "PDR"; General Plan of Development (GPD 05-01), Use Permit for Specific Plan of Development; and Tentative Subdivision Map (SD 06-01).

Staff recommends that a two (2) year time extension be granted for the subdivision map in order to complete the conditions necessary to record the final map. The Lake County Subdivision Ordinance allows the granting of extensions for a period or periods not exceeding a total of three years. This is the applicant's first extension request.

### IV. RECOMMENDATION

Staff recommends that the Planning Commission make the following recommendation to the Board of Supervisors:

A. **Find that the previously Final Environmental Impact Report based on Initial Study IS 06-01 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 which 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 two-year extension of time for SD 06-01 with the following findings:**

1. This project is consistent with the Lake County General Plan, Zoning Ordinance, Subdivision Ordinance, and the Middletown Area Plan.
2. This time extension request is consistent with the Lake County Subdivision Ordinance and the State Subdivision Map Act.
3. The subdivision map is still compatible with neighboring land uses.
4. There has been no substantial change in circumstances resulting in new significant environmental impacts.

**Sample Motions:**

**Reconsideration of Previously Approved Mitigated Negative Declaration**

I move that the Mitigated Negative Declaration, which was previously prepared for SD 06-01 does meet the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review need be prepared with the findings listed in the staff report dated March 16, 2020.

**Time Extension**

I move that the Planning Commission recommend that the Board of Supervisors approve an extension of time for SD 06-01 for a period of two years, with the findings listed in the staff report dated March 16, 2020

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 MR