



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 4
9:30 A.M.
April 9, 2020

STAFF REPORT

TO: Planning Commission

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

RE: Odon LLC Subdivision Map Extension of Time; SDX 19-01
Supervisory District 1

DATE: March 23, 2020

ATTACHMENTS:

1. Vicinity Map
2. Planning Commission Staff Report March 12, 2009
3. Approved Tentative Subdivision Map (SD 06-06)
4. Approved Tentative Subdivision Map Conditions (SD 06-06)

I. EXECUTIVE SUMMARY

The applicant is requesting an extension of an approved subdivision of approximately 53 acres to create 13 approximately one-acre residential lots and one remainder parcel. The Tentative Subdivision Map (SD 06-06) was approved by the Lake County Planning Commission on July 7, 2009 and extended for two years in 2011, 2013, and 2015. Pursuant to AB 1303, an automatic two (2) year extension was eligible and approved in 2017. Staff recommends that the Planning Commission recommend approval of a two-year time extension.

II. PROJECT DESCRIPTION

Applicant/Owner: Odon LLC, P O Box 509, Kelseyville CA 95451

Location: 8999 Miwok Way, Kelseyville

A.P.N.: 009-003-31

General Plan Designation: Rural Lands and Suburban Residential Reserve

Zoning: "RL-SR" Rural Lands and Suburban Reserve Districts

Approved Date: July 7, 2009

III. DISCUSSION

The project proposes 13 residential lots, each approximately one-acre in size, and one 40-acre remainder parcel. Access to the subdivision will be provided through the construction of a new roadway, Devonshire Court, off of Highway 29. The map conditions require that Devonshire Court be improved to a Minor Road Standard. This project was denied by the Planning Commission on May 22, 2008. The applicant appealed the Planning Commission's determination to the Board of Supervisors. On September 9, 2008, the Board granted the appeal and remanded this project to the Planning Commission for further consideration subsequent to the necessary CEQA review. Upon completion of the CEQA review, the project was approved on July 7, 2009.

Extensions were applied for in 2013 (SDX 13-01), 2015 (SDX 15-02), and 2017 (SDX 17-02), but in each case they were withdrawn and their fees refunded due to a succession of state bills which extended such subdivisions automatically (AB 208, AB 116, and AB 1303, respectively). The resulting expiration date was July 7, 2019. No development progress has been made, necessitating this extension.

The applicant is seeking a two-year time extension to complete the various conditions required for the filing of the final map. The Department of Public Works, Roads Division has approved the road improvement plans.

There has not been any development on this property. 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 of time not to exceed a total of three years after the initial 2-year approval period. This is the applicant's first extension request not to be withdrawn.

IV. RECOMMENDATION

Staff recommends that the Planning Commission take the following recommendation to 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 two-year extension of time for SD 06-06 with the following findings:**

1. The tentative subdivision map is consistent with the Lake County General Plan, Kelseyville Area Plan, and Zoning Ordinance.
2. The time extension request is consistent with the Lake County Subdivision Ordinance and the State Subdivision Map Act.
3. This project remains compatible with neighboring land uses.
4. There has been no substantial change in circumstances resulting in new significant environmental impacts.
5. There has been no substantial change in the physical suitability for the type of development and proposed density.

SAMPLE MOTION:

Reconsideration of Previous Mitigated Negative Declaration:

I move that the Mitigated Negative Declaration, which was previously prepared for SD 06-06 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 23, 2020.

Subdivision Map Time Extension:

I move that the Planning Commission recommend that the Board of Supervisors approve an extension of time for SD 06-06 for a period of two years to April 9, 2022, with the findings listed in the staff report dated March 23, 2020.

Reviewed by MR