



Legislation Details (With Text)

**File #:** 18-400      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Agenda Ready

**File created:** 5/2/2018      **In control:** BOARD OF SUPERVISORS

**On agenda:** 5/22/2018      **Final action:**

**Title:** 9:45 A.M. - PUBLIC HEARING - Consideration of Request for Extension (SDX 17-12) of Subdivision (SD 04-01); Initial Study (IS 04-05) of Clearlake Estates Subdivision; Project Located at 9555 State Highway 281 and 4619 Kaweah Road, Kelseyville (APNs 009-017-07 & 009-004-22); Applicant is Mitch Thurston

**Sponsors:** Community Development

**Indexes:**

**Code sections:**

**Attachments:** 1. Corrected BOS exhibit A, 2. Corrected BOS exhibit B, 3. Corrected BOS Exhibit C, 4. Corrected BOS exhibit D, 5. Corrected BOS exhibit E, 6. Corrected BOS exhibit F

Date	Ver.	Action By	Action	Result
5/22/2018	1	BOARD OF SUPERVISORS	approved	

**MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** Michalyn DelValle, Interim Community Development Director  
Eric Porter, Associate Planner

**DATE:** May 22, 2018

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

**EXHIBITS: (CORRECTED ATTACHMENTS - May 21, 2018)**

- A. Tentative Map
- B. Subdivision 04-01 Conditions
- C. Planning Commission minutes from February 22, 2018
- D. Vicinity Map
- E. Planning Commission Staff Report dated 1/17/2018
- F. Initial Study 04-05

**I. EXECUTIVE SUMMARY**

On January 13, 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.

On February 22, 2018, the current three-year extension request went before the Planning Commission and a recommendation for Board of Supervisor's approval passed on a 4-0 vote with one Commissioner absent.

The subject site is located within The Rivas Area Plan. The adoption of The Rivas Area Plan on January 9, 2007 changed the zoning from Single Family Residential (R1) with a 40,000 square foot minimum lot size, and Unclassified (U) 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 contains a slope greater than 20%, and most of the site has a slope that is greater than 30%.

Some of the lots are no longer in conformance with the Lake County Zoning Ordinance and Lake County General Plan due to the General Plan amendment that resulted from the adoption of the Rivas Area Plan, and due to the rezoning of the property. The tentative subdivision map however still qualifies to move forward as approved if this extension is granted. 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. The proposed three-year time extension is consistent with the Subdivision Map Act.

Staff recommends approval of the extension.

## II. PROJECT DESCRIPTION

The applicant is seeking a three year time extension to complete the various conditions required for the tentative map. There has not been any development on the property that is inconsistent with the approved tentative subdivision map. Staff recommends that a three (3) year time extension be granted for the tentative subdivision map in order to complete the conditions necessary to record the final map.

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

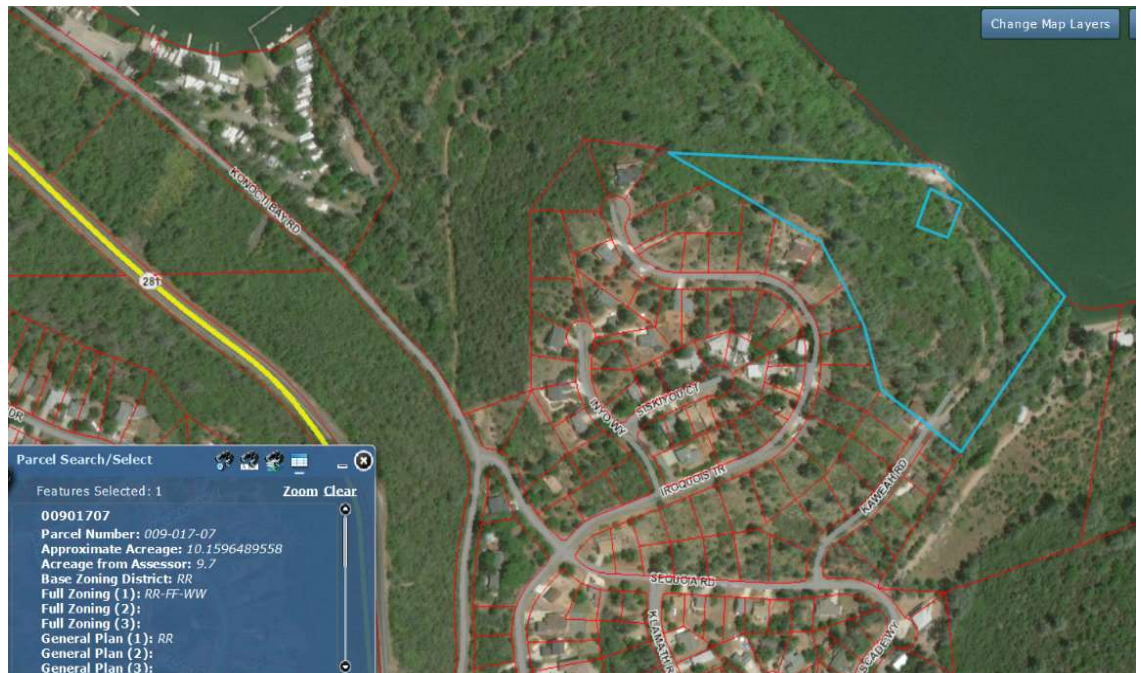
Zoning: "RL-SC-FF-WW", Rural Lands - Scenic Combining - Floodway Fringe - Waterway  
"RR-SC-FF-WW", Rural Residential - Scenic Combining - Floodway Fringe - Waterway;

Original Approval Date: January 13, 2005

## III. ENVIRONMENTAL ANALYSIS

The previously approved mitigated negative declaration meets the requirements of Section 15162(a) of the State CEQA Guidelines, and no additional environmental review appears to be needed for the following reasons:

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.



APN 009-017-07



APN 009-004-22

**IV. FISCAL IMPACT:**

Budgeted

Non-Budgeted  None  **FISCAL IMPACT (Narrative):** Action taken by the Board will have no fiscal impact on the County.

**V. STAFFING IMPACT (if applicable):** N/A

**VI. RECOMMENDATION:** Staff recommends 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 subdivision map is consistent with the Lake County General Plan, Rivas 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 mitigated negative declaration, which was prepared for SD 04-01 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 Board Memorandum dated April 6, 2018.

**B. Subdivision Map Time Extension**

I move that the Board of Supervisors approve an extension of time for SD 04-01 for a period of three (3) years to January 13, 2021, with the findings listed in the Board Memorandum dated April 6, 2018.