



Legislation Details (With Text)

File #: 21-317 **Version:** 1 **Name:**

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

File created: 4/16/2021 **In control:** Planning Commission

On agenda: 4/22/2021 **Final action:**

Title: 9:25 a.m. Public Hearing to consider a Rezone (RZ 19-02) and General Plan Amendment (GPAP 19-02) to change the zoning of a property from R-3 High Density Residential to R1 Low Density Residential; to change the General Plan designation of a property from High Density Residential to Low Density Residential, and consideration of a Mitigated Negative Declaration (IS 19-41) on Thursday April 22, 2021, 9:25 a.m., in the Board of Supervisors' Chambers, 255 N. Forbes Street, Lakeport, California. Applicant/Owner: Richard Siri. Proposed Project: Rezone and General Plan amendment on a property presently zoned R3. Location: 4436 Lakeshore Boulevard, Lakeport, CA; APN: 029-141-22. Environmental Evaluation: Mitigated Negative Declaration.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Staff Report RZ 19-02 FINAL, 2. Attachment 1 vicinity map, 3. Attachment 2 mylar, 4. Attachment 3 supplemental mat'l, 5. Attachment 4a agency comments, 6. Attachment 4b agency comments, 7. Attachment 5 Conditions, 8. Attachment 6 IS

Date	Ver.	Action By	Action	Result
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Memorandum

April 22, 2021

STAFF REPORT

TO: Planning Commission

FROM: Scott De Leon, Community Development Director
Tocarra Nicole Thomas, Community Development Deputy Director

Prepared by: Eric Porter, Associate Planner

DATE: April 22, 2021

SUBJECT: Richard & Beverly Siri General Plan Amendment (GPAP 19-02), Rezone (RZ 19-02) and Initial Study (IS 19-41).

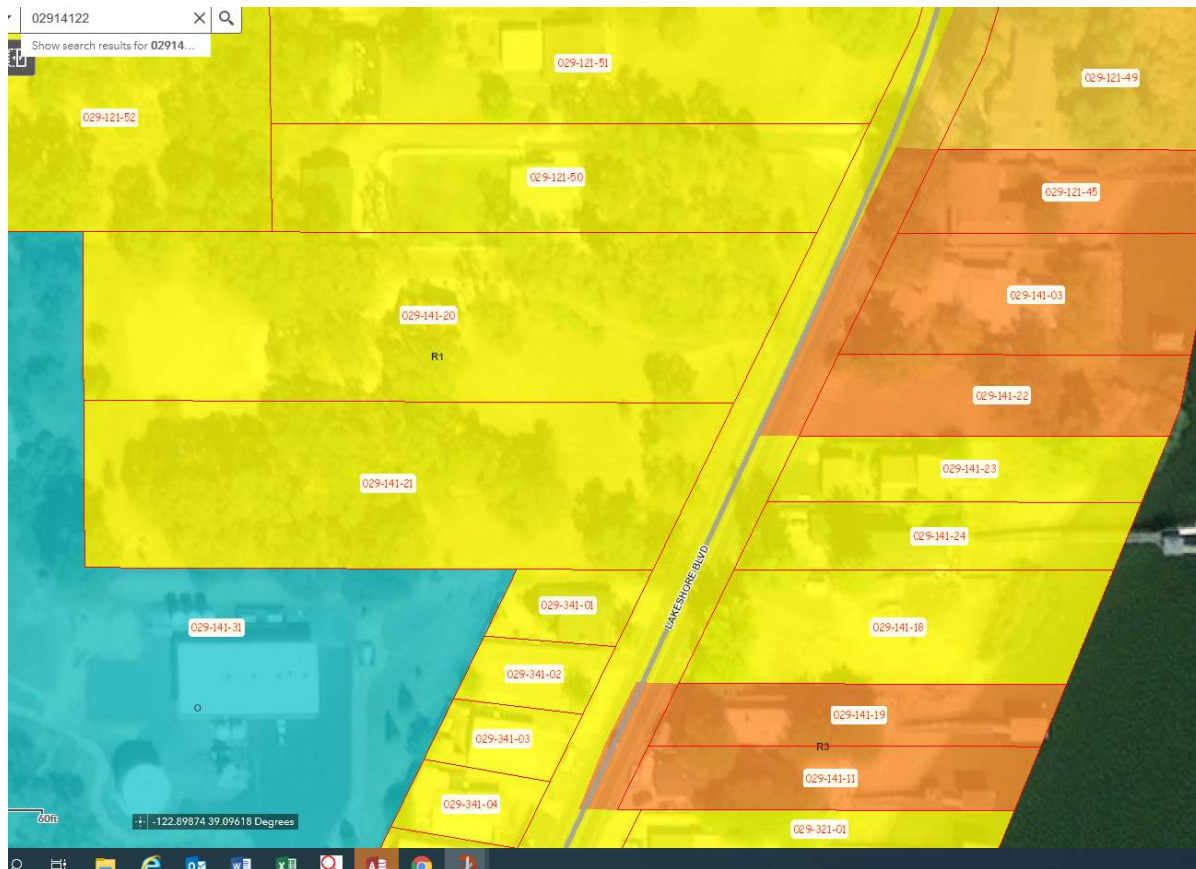
Supervisor District 4

ATTACHMENTS: 1. Vicinity Map
2. Proposed Rezone and General Plan Mylar
3. Supplemental Data
4. Agency Comments

5. Draft Conditions of Approval
6. Initial Study IS 19-41

I. **EXECUTIVE SUMMARY**

The applicant is requesting approval of a Rezone of APN: 029-141-22 from “R3 - SC - FF - WW” Multi-Family Residential - Scenic Combining - Floodway Fringe - Waterway Combining District to “R1 - SC - FF - WW” Single-Family Residential - Scenic Combining - Floodway Fringe - Waterway Combining District to accommodate plans for a single family home development in the future. In addition, the applicant is also requesting approval of a General Plan Amendment of APN 029-141-22 “RC - HDR” Resource Conservation - High Density Residential to “RC-LDR” Resource Conservation- Low Density Residential. The parcel fronts the shoreline of Clear Lake and is approximately 0.44 acres (19,166 square feet) along Lakeshore Boulevard, north of the City of Lakeport, and is currently vacant. The site is flat and contains an existing retaining wall along the northern and part of the southern lot line, as well as along the shoreline of Clear Lake (east). The future development is planned to be a single-family dwelling with garage, which would be approved through the ministerial building permit process. The existing access/roadway would be improved to meet all Federal, State and local agency requirements. Due to the shape of the lot and the location of the shoreline and retaining wall, the remaining buildable site is approximately 5,350 square feet in total area.



ZONING MAP OF SITE AND VICINITY

PROJECT DESCRIPTION

Applicant/Owner: Richard & Beverly Siri
Location: 4436 Lakeshore Blvd., Lakeport
A.P.N.: 029-141-22
General Plan: Resource Conservation - High Density Residential

Zoning - Existing: "R3 - SC - FF - WW" Multi-Family Residential - Scenic Combining - Floodway Fringe - Waterway Combining District

Zoning - Proposed: "R1 - SC - FF - WW" Multi-Family Residential - Scenic Combining - Floodway Fringe - Waterway Combining District

Flood Zone: AE

School District: Lakeport Unified School District

I. **PROJECT SETTING**

Existing Uses and Improvements: The site is presently vacant and fronts the shoreline of Clear Lake.

Surrounding Uses and Zoning:

- **North:** "R3" - Multi-Family Residential; "SC" - Scenic Combining District; "FF" - Floodway Fringe; "WW" - Waterway Combining District. The parcels sizes range from approximately 0.398 to 0.635 acres in size.
- **East:** Clear Lake.
- **South:** "R1" - Single-Family Residential; "SC" - Scenic Combining District; "FF" - Floodway Fringe; "WW" - Waterway Combining District. The parcels sizes range from approximately 0.383 to 0.682 acres in size.
- **West:** "R1" - Single-Family Residential; "SC" - Scenic Combining District; "FF" - Floodway Fringe Combining District. The parcels sizes range from approximately 0.139 to 1.588 acres in size.

Topography: The site is relatively flat.

Soils: According to the soil survey of Lake County, prepared by the U.S.D.A., the soil in the project area is Manzanita loams with 5-15% slopes (soil unit 160). The permeability of the soil is slow. Surface runoff is medium, and the hazard of erosion is moderate. This very deep, well-drained soil is on terraces. This soil unit is on the entire parcel.

Fire Protection: Lakeport Fire Protection District/Cal Fire

I. **RECOMMENDATIONS**

Staff recommends that the Planning Commission take the following Actions:

A. Adopt Mitigated Negative Declaration of Initial Study (IS 19-41) for General Plan Amendment, GPAP 19-02 and Rezone, RZ 19-02 with the following findings:

1. Although future developments of the project could have a significant effect on the environment, the project will have less than significant impact with mitigation measures consistent with CEQA guidelines (Sec.15070 to 15075).
2. This project is consistent with the Lake County General Plan, Lakeport Area Plan and Zoning Ordinance.
3. The project is consistent with land uses in the vicinity.
4. This project will not result in any significant adverse environmental impacts with the proposed mitigation measures.

B. Approve General Plan Amendment (GPAP 19-02) and Rezone (RZ 19-02) with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be detrimental to property and improvements in the neighborhood or the general welfare of the County.

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 the future development proposed.
3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.
4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
5. This project is consistent with the Lake County General Plan, Lakeport Area Plan, and Lake County Zoning Ordinance.
6. 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.

Sample Motions:

Initial Study (IS 19-41)

I move that the Planning Commission find the **General Plan Amendment (GPAP 19-02)** and **Rezone (RZ 19-02)** applied for by **Richard and Beverly Siri** on property located at **4436 Lakeshore Blvd., Lakeport** further described as **APN: 029-141-22** adopts the mitigated negative declaration (IS 19-41) based on the findings set forth in the staff report dated **April 22, 2021**.

General Plan Amendment (GPAP 19-02)

I move that the Planning Commission find that the **General Plan Amendment (GPAP 19-02)** applied for by **Richard and Beverly Siri** on property located **4436 Lakeshore Blvd., Lakeport** further described as **APN: 029-141-22** does meet the requirements of Section 47.22 and Article 10 of the Lake County Zoning Ordinance and the General Plan Amendment be granted subject to the findings listed in the staff report dated **April 22, 2021**.

Rezone (RZ 19-02)

I move that the Planning Commission find the **Rezone (RZ 19-02)** applied for by **Richard and Beverly Siri** on property located at **4436 Lakeshore Blvd., Lakeport** further described as **APN: 029-141-22** does meet the requirements of Section 47.22 and Article 10 of the Lake County Zoning Ordinance and the Rezone be granted subject to the findings listed in the staff report dated **April 22, 2021**.

***NOTE:** The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) 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 seventh calendar day following the Commission's final determination.*