



## Legislation Details (With Text)

**File #:** 22-516      **Version:** 1      **Name:**

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

**File created:** 5/16/2022      **In control:** Planning Commission

**On agenda:** 5/26/2022      **Final action:**

**Title:** 9:25 a.m. Public Hearing on Consideration of General Plan of Conformity (GPC 22-05) to satisfy for a property zoned "O-SC-FF-WW", Open Space – Scenic Combining – Floodway Fringe – Waterway. The Government Code Section 65402(b) requires that prior to the disposal of land, the County report the location, purpose, and extent of any proposed sale of county property to determine the conformity with the adopted General Plan. The purpose of the conformity would be to allow the accommodation of a homeless shelter. The project at 1111 Whalen Way, Lakeport, CA; further described as Assessor Parcel Number: 004-029-41.

**Sponsors:** Community Development

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map (Attachment #1), 2. JUVENILE HALL Sheet (Attachment #2), 3. Elijah House Project Description(Attachment #3), 4. Staff Report (Attachment #4)

Date	Ver.	Action By	Action	Result
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## Memorandum

Item #5  
9:25 AM  
May 26, 2022

## STAFF REPORT

**TO:** Planning Commission

**FROM:** **Mary Darby**, Community Development Director  
Eric Porter, Associate Planner

**DATE:** May 26, 2022

**SUBJECT:** **General Plan Conformity, GPC 22-05, CE 22-19**  
Supervisor District 1

**ATTACHMENTS:** 1. Vicinity Map  
2. Elijah House Project Description

I. **EXECUTIVE SUMMARY**

Lake County owns a 4.29 acre property located at 1111 Whalen Way, Lakeport. The Elijah House seeks to purchase the property to convert the juvenile hall building into a homeless shelter. This General Plan of Conformity is the first step prior to the rezone and major use permit being undertaken by the County.

Staff recommends approval of the General Plan Conformity, GPC 22-05, and adoption of the Categorical Exemption to CEQA, CE 22-19.

I. **PROJECT DESCRIPTION**

Applicant: County of Lake

Location: 1111 Whalen Way, Lakeport, CA 95453

APN: 004-029-41

General Plan: Public Facilities, Resource Conservation

Zoning: "O - SC - FF - WW" Open Space - Scenic Combining - Floodway Fringe - Waterway

I. **PROJECT SETTING**

Existing Uses and Improvements: The property has historically been used as a juvenile hall facility. The juvenile hall was closed and the property is considered as surplus county property. The Elijah House now seeks to purchase the property, however a rezone is required prior to the property being used as a homeless shelter per Article 27 of the Lake County Zoning Ordinance, and a major use permit will be required for the establishment of the homeless shelter. The General Plan of Conformity is the first step required prior to the zone change and major use permit being considered.

Topography: The site is mostly flat.

Soils: According to the soil survey of Lake County, prepared by the U.S.D.A., the soil on the developed portion of the site is unit type 233 Still loam, stratified substratum. This soil type occurs on land that is between 0 and 2% slope. The permeability is moderately slow, surface runoff is slow, and the hazard of erosion is slight.

Fire Protection: Lakeport Fire Protection District

I. **BACKGROUND**

The subject site had historically been used as the Lake County Juvenile Hall. The Juvenile Hall closed recently, and the land became surplus to the County.

The Elijah House Foundation currently leases the subject site, located at 1111 Whalen Way in Lakeport, CA from Lake County and provides emergency shelter services through a contract with Lake County Behavioral Health. Acquisition and investment in this property would help the Elijah House Foundation provide a permanent location to offer emergency shelter services. In addition, this acquisition would also allow for the expansion of services that Elijah House Foundation service providers have recognized are highly needed by those who are homeless or at risk of homelessness served at the temporary Emergency Shelter. In addition to providing emergency shelter services, some of these new services may include Transitional Mental Health treatment, Mental Health Housing, Behavioral Health Counseling, Healthcare Navigation and stabilization, Reentry for Justice Involved, Job Development and on the job training, and independent living skill development.

**General Plan of Conformity.** In order for the County to sell this surplus land for eventual permanent use as a homeless shelter, the County must first determine that the homeless shelter use is (a) allowed by the General Plan designation; (b) permitted in the zone that it is proposed for, and (c) meets all applicable General Plan, Area Plan and Zoning Ordinance regulations for the use that is intended. This is the first step in these three steps necessary to establish the homeless shelter on the subject site.

I. **RECOMMENDATIONS**

**Staff recommends that the Planning Commission:**

**A. Adopt Categorical Exemption CE 22-19 for GPC 22-05 with the following findings:**

1. Potential environmental impacts related to the General Plan of Conformity will not occur due to the nature of the action, which is to evaluate the property for future use as a homeless shelter.
2. That no changes to the site appear to be necessary to convert the interior of the existing building for use as a homeless shelter.
3. This project is consistent with the Lake County General Plan, Lakeport Area Plan and Zoning Ordinance.
4. That this project will not result in any significant adverse environmental impacts, including impacts on cultural or historic resources.

**B. Approve GPC 22-05 with the following findings:**

1. The project is compatible with surrounding land uses.
2. The project is consistent with the Lake County General Plan goals and policies related to Transportation and Circulation and to the health and safety of the residents and property of Lake County.
3. The use of the land as a homeless shelter is consistent with the Lakeport Area Plan, updated Housing Element policy to develop adequate emergency shelter provisions within Lake County; and,
4. An evaluation for compliance with the California Environmental Quality Act has been performed pursuant to CEQA requirements, and a Categorical Exemption to CEQA has been determined to be appropriate for this action under CEQA section 153012.

**Sample Motions:**

**Categorical Exemption**

I move that the Planning Commission find and report that, on the basis of the lack of site disturbance associated with this project, and due to the lack of future site improvements associated with this property, that a Categorical Exemption to CEQA shall be adopted pursuant to CEQA Section 153012, and that this project, located at 1111 Whalen Way, Lakeport, CA and known as APN: 004-029-41, will not have a significant effect on the environment with the findings listed in the staff report dated May 26, 2022.

**General Plan Conformity**

I move that the Planning Commission find and report that General Plan Conformity GPC 22-05, applied for by the Lake County Administration Department and the Community Development Department for the property located at 1111 Whalen Way, Lakeport, CA and known as APN: 004-029-41, is in conformity with the Lake County General Plan with the findings listed in the staff report dated May 26, 2022.

Reviewed by: Mary Darby, Community Development Director