



## Legislation Text

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File #: 18-794, Version: 1

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### MEMORANDUM

**TO:** Board of Supervisors

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

**DATE:** August 9, 2018

**SUBJECT:** Subdivision Map Extension (SDX 17-04) for Tentative Merger Re-subdivision Map (MRS 06-01), Initial Study, (IS 06-86);  
Supervisory District 5

**EXHIBITS:**

- A. Vicinity Map
- B. Approved Tentative Merger and Re-subdivision Map (Approved January 25, 2007)
- C. Tentative Merger and Re-subdivision Map - Approved Conditions of Approval, including modified Condition A-1
- D. Planning Commission (Draft) Minutes from Aug. 9, 2018 hearing
- E. Planning Commission Staff Report

#### I. EXECUTIVE SUMMARY

The applicant is requesting approval for a six (6) year time extension for a Subdivision Extension of Time (SDX 17-04) for previously approved Tentative Merger and Re-subdivision Map (MRS 06-01) known as Kaylee Court. The Planning Commission recommended the six (6) year extension on August 9, 2018.

#### ***Background and Previous Actions***

On January 25, 2007, the Planning Commission approved a Rezone from "R1-RD-F2-B5" to "R1" and a Tentative Merger and Re-subdivision Map (MRS 06-01) of three existing lots and the re-subdivision of those lots to create twelve lots on the corner of Konocti Road and Vista Estate Drive. The Planning Commission found that Initial Study (IS 06-86) for the project parcel would not have significant impact on the environment and recommended the adoption a Mitigated Negative Declaration to the Board of Supervisors.

The January 25, 2007 Planning Commission approval included a requirement for the installation of curb, gutter and sidewalk along Konocti Road. The applicant had also applied for a Minor Modification to the condition requiring the curbs,

gutters and sidewalks, however Planning Commission denied the applicants' Modification request, which would have allowed alternative pedestrian and drainage improvements in lieu of curb, gutter and sidewalk along Konocti Road.

On February 7, 2007, the applicant filed an Appeal to Board of Supervisors (AB 07-01) to appeal the Planning Commission decision to deny the alternative pedestrian and drainage improvements in lieu of curb, gutter and sidewalk along Konocti Road

On June 12, 2007, the Board of Supervisors approved a rezone of this property to from "R1-RD-F2-B5" to "R1".

On September 18, 2007 the Board of Supervisor approved the applicant's appeal (AB 07-01) and allowed alternative pedestrian and drainage improvements in lieu of curb, gutter and sidewalk along Konocti Road, along with recommendation of the Planning Department regarding sidewalks along the Northwest property line. This included a modification of original Condition A-1.

The original subdivision had a two-year approval time-frame. However the subdivision was then extended through a series of State-initiated actions, including SB 1185, and AB 333, 116, and 1303; the extended subdivision was set to expire on January 25, 2018. The applicant then applied for this extension on November 20, 2017; this extension application further extended the project to allow for the two required public hearings to occur. The new expiration date of the subdivision will be January 25, 2024 if the full 6 year extension is granted. The applicant would then be unable to apply for any further extensions.

On August 9, 2018, the Planning Commission recommended that the Board of Supervisors grant a six (6) year extension to the Kaylee Court subdivision, the maximum time-frame allowed under the California Subdivision Map Act.



## Subject Site and Vicinity

### Project Description

Applicant/Owner: Walter Schlicher, 1295 Central Park Drive, Lakeport, CA 95453

Location: 5105 & 5209 Konocti Road, Kelseyville, CA  
5575 Vista Mountain Estates Drive, Kelseyville, CA

A.P.N's: 008-054-22, 23 and 24.

General Plan: Low Density Residential

Zoning: "R1" - Single Family Residential

### ***Project Setting***

Existing Uses and Improvements: The project site is vacant.

Surrounding Zoning and Land Use: The project is located approximately one (1) mile to the east of downtown Kelseyville. Surrounding uses and zoning are as follows;

*North:* "SR" Suburban Reserve, both vacant and developed with dwellings.

*South:* "R1" Single-Family Residential and are vacant.

*West:* "O" Open Space (Kelseyville Unified School District).

*East:* "RL" Rural Lands both vacant and developed with Single-Family Residences.

Topography: Level (0-10% Slope)

Water Supply: Kelseyville County Waterworks District #3

Sewage Disposal: Lake County Special Districts

Fire Protection: Kelseyville Fire Protection District

School District: Kelseyville Unified School District

## **II. PROJECT ANALYSIS**

### ***General Plan Conformance***

The land use designation on the project parcels is Low Density Residential (LDR). The purpose of Low Density Residential is establish areas suitable for single-family residences (attached or detached) at a relatively low density. This designation is appropriate where the traditional neighborhood character of single family units prevail and where the level of services, including roads, shopping and recreation does not justify higher densities.

Tentative Merger and Re-subdivision Map (MRS 06-01) of three (3) lots and the re-subdivision of the three (3) lots to create twelve (12) lots would allow the development of single family residents in close proximity to downtown Kelseyville, which in turn offers employment and recreational opportunities.

### ***Zoning Ordinance Conformance***

The Tentative Merger and Re-Subdivision Map is located within the "R1" Single-Family Residential Zoning District. The purpose of the "R1" Zoning is to establish areas for individual residential dwellings at relatively low densities where the traditional neighborhood character of single-family units prevails.

The project known as Kaylee Court (Tentative Merger and Re-Subdivision) was approved by the Planning Commission on January 25, 2007 and the tentative map was set to expire on January 25, 2018. On November 20, 2017, the applicant submitted a Subdivision Map Extension Request to the Community Development Department.

### ***Area Plan Conformance***

The Kelseyville Area Plan's objective is to provide guidance regarding the long-term growth and development of the Kelseyville, Finley and Big Valley areas and on other surrounding rural lands. The Area Plan is a tool by which greater planning detail is provided for the Kelseyville Area.

Area Plan conformance was determined during the original review and approval process.

### ***Subdivision Map Act***

Since approval on January 25, 2007 a number of state laws have extended the tentative map to January 25, 2018. On November 20, 2017, the applicant submitted a Subdivision Extension Request to the Community Development Department. The extension application did not specify the amount of extension time sought. The Planning Commission is recommending a six (6) year extension be granted.

## **III. ENVIRONMENTAL REVIEW**

On January 25, 2007, the Planning Commission approved the Tentative Merger Re-subdivision Map (MRS 06-01), with a Mitigated Negative Declaration based on Initial Study (06-86). There have been no changes in circumstances that would warrant further CEQA review or evaluation.

## **IV. CONDITIONS OF APPROVAL**

The original Conditions of Approval (Attachments 3A and 3B) are associated with the original approval. To date, none of these conditions have been met, and most must be met before the final map can be recorded for Kaylee Court Subdivision.

**V. FISCAL IMPACT:**                      Budgeted X                      Not Budgeted \_                      None \_

**VI. FISCAL IMPACT (Narrative):** Action taken by the Board will have no fiscal impact on the County.

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

## **VIII. RECOMMENDATION**

The Planning Commission recommends that the Board of Supervisors approve the extension with the following findings:

- A. 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. Recommend that the Board of Supervisors approve a six-year extension of time with the following findings:
1. The tentative parcel 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.
  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.
  5. This project remains compatible with the neighboring land uses in this vicinity.
  6. That the six year extension is consistent with the State Subdivision Map Act.

#### **SAMPLE MOTIONS**

##### **Reconsideration of a previous Mitigated Negative Declaration**

I move that the Mitigated Negative Declaration, which was previously prepared for MRS 06-01 for the property located at 5105 and 5209 Konocti Road, and 5575 Vista Mountain Estates Drive, Kelseyville, CA 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 this Board of Supervisors memo dated August 9, 2018.

##### **Subdivision Map Time Extension**

I move that the Board of Supervisors approve the six-year extension of time for Walter Schlicher for the properties located at 5105 and 5209 Konocti Road, and 5575 Vista Mountain Estates Drive, Kelseyville, CA for MRS 06-01 for a period of six (6) years to August 9, 2024, with the findings listed in this Board of Supervisors memo dated August 9, 2018.