



## Legislation Text

File #: 20-616, Version: 1

### Memorandum

**Date:** July 7, 2020

**To:** The Honorable Moke Simon, Chair, Lake County Board of Supervisors

**From:** Scott DeLeon - Interim Community Development Director  
Tocarra Thomas - Deputy Community Development Director  
Mark Roberts - Principal Planner  
Michelle Irace - Senior Planner

**Subject:** Guenoc Valley Mixed Use Commercial Development

#### EXHIBITS:

1. Water Supply Assessment
2. Final Environmental Impact Report ("FEIR") (EIR 18-01)
3. General Plan Policy Amendment
4. Guenoc Valley General Plan Amendment (GPAP 18-01)
5. Guenoc Valley Zoning Amendment to Adopt a New Zoning District (AM 18-04)
6. Guenoc Valley Rezone (RZ 18-01)
7. Guenoc Valley General Plan of Development (GPD 18-01)
8. Guenoc Valley Specific Plan of Development Major Use Permit (UP 18-49)
9. Tentative Subdivision Maps for Phase 1 (SD 18-01)
10. Development Agreement (DA 18-01)

#### Middletown Housing Site (Santa Clara Housing Site)

#### EXHIBITS:

11. Santa Clara Rezone (RZ 20-01)
12. Santa Clara Tentative Map (SD 20-01)
13. Santa Clara Use Permit (UP 20-02)

#### EXHIBITS:

- A. Vicinity Map
- B. Planning Commission Staff Report dated June 18, 2020 with Exhibits 1-17
- C. Supplemental Staff Report Dated June 22, 2020 with Exhibits 1 and 2
- D. Draft Planning Commission Minutes - June 18 & 25, 2020
- E. Exhibit "A" General Plan Land Use Designation Map and Proposed Zoning Designations
- F. Draft Resolution for Guenoc General Plan Amendment (GPAP)

- G. Draft Ordinance Establishing Guenoc Valley District, Regulations and Development Standards
- H. Draft Ordinance for the Guenoc Valley District Zoning Map Rezone
- I. Draft Guenoc Valley Specific Plan of Development Major Use Permit Resolution
- J. Draft Resolution for Guenoc Valley Subdivision Maps for Phase 1
- K. Draft Ordinance for Santa Clara Rezone
- L. Draft Resolution for Santa Clara Major Use Permit
- M. Draft Resolution for Santa Clara Tentative Map
- N. Draft Conditions of Approval
- O. Draft Resolution for Guenoc Development Agreement
- P. Draft Resolution for General Plan Policy LU 6.12 Amendment
- Q. Draft Environmental Impact Report and Appendices
- R. Final Environmental Impact Report ("FEIR") and Appendices
- S. Draft Resolution Certifying the FEIR, and Adopting CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring Reporting Program

**Executive Summary:** (include fiscal and staffing impact narrative):

## **I. EXECUTIVE SUMMARY**

The Guenoc Ranch consists of 69 existing parcels within approximately 16,000 acres of land (refer to **Exhibit 1a of Exhibit B**-June 18, 2020 Planning Commission Staff Report- which contains a spreadsheet with a detailed description of parcels, APNs, ownership, and parcel size and **Exhibit 2a** for site and vicinity maps). The Guenoc Ranch is currently under General Plan designations of Agricultural Resource Conservation, Rural Lands, and Rural Residential, and proposed to be Resort Commercial. In addition, the Tentative Subdivision Maps will include "no build" areas to preserve sensitive habitats and environmental constraints. The Tentative Subdivision Map also will include exclusive easements such as utilities and access.

The Guenoc Ranch is located on Butts Canyon Road, approximately four miles east of its intersection with Highway 29. The present use of the property includes vineyards, grazing, horse trails, a hunting lodge, and a few residences. The Guenoc Ranch does not include an area of approximately 360 acres which contains the Langtry winery and the Lily Langtry estate home.

For the Guenoc Ranch, the applicant is requesting approval of a General Plan and Zoning Ordinance Amendment, Rezone, a General Plan of Development, a Major Use Permit for a Specific Plan of Development (SPOD) to allow a Mixed-Use Commercial Resort and tentative subdivision maps, for which phased final maps would be recorded in the future, and a Development Agreement. The overall approvals would allow a mixed-use development which would include a total of 400 hotel units, 450 resort residential units, and 1,400 residential estate villas at the maximum buildout of the entire proposed Guenoc Valley District (GVD). The first phase of development, as described in the proposed SPOD, requests approval for 127 hotel units, 141 resort residential cottages, 50 temporary workforce hotel units, 20 campsites, 100 workforce housing co-housing units and 401 residential villas

In addition, the applicant is requesting approvals related to the Middletown Housing Site (also referred to as the Santa Clara Housing Site), including a rezone of approximately 3.5 acres from

Single-Family Residential to Two-Family Residential, a Tentative Subdivision Map, and a use permit for a community center (also referred to as a community clubhouse) to serve the housing site and more than five duplex units within proposed Two-Family Residential zoning area. The Middletown Housing Site is located on 21000 Santa Clara Road, accessed off of Hwy 171, approximately 0.4 miles from its intersection with State Route 29. This property was the subject of a 50-lot subdivision approved in 2006, which has expired; the requested Santa Clara subdivision follows a similar lot layout.

It should be noted that the EIR evaluated the construction of a new pipeline within the right of way of Butts Canyon Road from an offsite well property located on the northeast corner of Butts Canyon Road and State Route Highway 29, however the applicant is not requesting any project specific entitlements to install it at this time.

## **II. SUMMARY OF PLANNING COMMISSION HEARINGS**

On **June 18, 2020**, the Community Development Department brought the Guenoc Valley Mixed Use Commercial Development before the Planning Commission (see **Exhibit B** which contains the Staff Report and associated exhibits). A detailed presentation of the project was given. The Planning Commission made the determination to continue the item until June 25, 2020 to allow additional time to review all necessary documents.

On **June 25, 2020**, Planning Commission recommended approval of the Guenoc Valley Mixed Use Commercial Development Project (see **Exhibit C** for the Staff Report and associated exhibits). During the June 25, 2020 Planning Commission hearing, County staff provided the Planning Commission with additional information and responses that were discussed during the June 18, 2020 hearing. The additional information prepared is as follows: (1) Consistency of the Guenoc Valley Mixed Use Development Project with Lake County General Plan Policy LU 6.12; (2) Responses to issues raised in the comment letter from Caltrans dated June 17, 2020; (3) A summary of the changes to the Draft EIR; and (4) Recommended Motions. See **Exhibit C**.

## **III. PROJECT SETTING**

Applicant/Owner: Lotusland Investment Holdings Inc.

Parcel Size: Approximately 16,000 acres

### General Plan Designation:

- Guenoc Valley Existing: Agriculture, Resource Conservation, Rural Lands, and Rural Residential; Middletown Area Plan: Special Study Area
- Guenoc Valley Proposed: Guenoc Valley District (GVD District)
- Santa Clara Road Site Existing: Low Density Residential and Resource Conservation

### Land Use Zoning Designation:

- Guenoc Valley Existing: Agriculture, Resource Conservation, Rural Lands, and Rural Residential

- Guenoc Valley Proposed: Resort Commercial
- Santa Clara Road Site Existing: Single Family Residential
- Santa Clara Road Site Proposed: Single Family Residential and Two-Family Residential

#### Flood Zone:

- Guenoc Valley Site: Zone X and Zone DA small area surrounding a portion of Bucksnot Creek, which connects McCreary Lake to Detert Reservoir classified as Zone A, but most of this area is in the Not Part of this Project Site area and no development is proposed near this area under Phase 1.
- Santa Clara Site: Zone AO

#### Existing Uses and Improvements:

The Guenoc Ranch parcels are currently developed with approximately 990 acre of vineyards and approximately 72 miles of existing roadways, overland water pipelines and associated pumps, and accessories to move water from the five irrigation reservoirs. The Middletown Housing Site is currently undeveloped.

#### Guenoc Valley Site Surrounding Zoning and Land Uses:

- The Guenoc Valley Site is bordered by rural and agricultural lands that have a mix of dry grazing lands, vineyards, and irrigated pastures. The Cedars Mountains border the northeast side of the Guenoc Valley Site and a previous U.S. Coast Guard LORAN station military reservation to the northwest. The closest edge of the Hidden Valley Lake Community is approximately one-mile northwest of the Guenoc Valley Site boundary and the Middletown Community is approximately six miles west.
- Napa County borders the site to the south and east, and Yolo County is approximately five (5) miles northeast of the closest edge of the Guenoc Valley Site boundary.
- Santa Clara site: This site is currently undeveloped and is surrounded by medium density residential and commercial uses to the east and south. Dry Creek and an undeveloped area border the site to the north and west.

#### Emergency Services Protection:

The South Lake County Fire Protection District (SLCFPD) and Cal Fire would provide fire protection and fire suppression services and the Lake County Sheriff's Office/California Department of Highway Patrol (CHP) to this site.

#### Water Supply:

Groundwater will serve the potable water supply and treated wastewater, combined with existing surface water rights, will serve the non-potable water demand. Refer to the Water Supply Assessment (WSA) (Appendix WSA of the Draft EIR (**Exhibit Q**) and the Water Feasibility Engineering Analysis (Appendix WATER of the Draft EIR (**Exhibit Q**) for more information. The

Callayomi County Water District (CCWD) is proposed to supply potable water to the Middletown Housing Site, pending annexation request to the Local Agency Formation Commission (LAFCO); the “will serve letter” is provided as Appendix CCWD in the Draft EIR (**Exhibit Q**).

Sewage Disposal:

On-site wastewater treatment facilities are proposed to serve the project. See the Wastewater Feasibility report (Appendix WW of the Draft EIR (**Exhibit Q**).

Topography:

- Guenoc Valley elevations range from approximately 600 to 1,600 feet above mean sea level (amsl). The property extends primarily over a relatively level valley floor as well as rugged, moderately to steeply sloping terrain.
- The Santa Clara site elevation ranges from approximately 1,095 feet above mean sea level (amsl) on the western portion of the site to 1,100 feet amsl on the eastern portion.

Soils:

See Preliminary Geotechnical Analysis in Appendix GEO of the Draft EIR (**Exhibit Q**).

#### **IV. PROJECT ANALYSIS**

General Plan Conformance:

This request would re-designate the entire site to Resort Commercial. The project is consistent with the goals and policies of the Lake County General Plan and the Middletown Area Plan by including resort activities, agricultural production, land stewardship, landscape preservation, outdoor recreational activities, and respect for cultural heritage and social cohesion. Please refer to the General Plan Consistency Table in Appendix GPCT of Draft EIR (**Exhibit Q**).

Zoning Ordinance Amendment:

Article 47 of the Lake County Zoning Ordinance requires that the Planning Commission review any zoning ordinance amendment, and include in its recommendation, the relationship of the proposed amendment to the Lake County General Plan. As described above, the proposed project includes a General Plan Land Use diagram amendment to allow uses consistent with the Middletown Area Plan, and the project is otherwise consistent with the goals and policies of the Lake County General Plan and the Middletown Area Plan. The establishment of a Guenoc Valley District to allow a mixed use planned development will implement these General Plan policies and the proposed General Plan land use designations.

**Article 27 of the Lake County Zoning Ordinance - Uses Generally Permitted with a Use Permit - Community Club:**

The purpose of Article 27 subsection (f) is to outline the development procedures to establish a community club, private club, or fraternal organization. The specific requirements are:

- Minimum lot area 20,000 square feet, which a six-foot wide buffer strip with visual screening of at least three feet in height on all sides abutting residential districts or uses.
- All parking shall be screened to a minimum height of three (3) feet from the view of surrounding residential districts or uses.

- The project site shall front on and be served by an existing publicly maintained road.

**Response:** The community clubhouse proposed on the Middletown Housing site is on one acre of land and meets the parking and landscape screening requirements and will be located on a publicly maintained road. Landscaping and parking, and site design are shown on Sheet A.2 of **Exhibit 12 of Exhibit B** (June 18, 2020 Planning Commission Staff Report).

**Article 34 of the Lake County Zoning Ordinance - Scenic Combining “SC” Combining District:**

The purpose of the Scenic Combining “SC” Combining District is to protect and enhance views of scenic areas from the County’s scenic highways and roadways for the benefit of local residential and resort development, the motoring public, and the recreation based economy of the County.

**Response:** The project is located off Butts Canyon Road, which considered a “Scenic Corridor”. According to the applicant’s site plan and Specific Plan of Development, all development would be located outside the Scenic Combining District (see Figure 3.2-7 of the DEIR-**Exhibit Q**).

**Article 37 of the Lake County Zoning Ordinance - Waterway “WW” Combining District:**

The purpose of Article 37 is to help preserve, protect and restore significant riparian and aquatic systems, streams, woodland habitats, protect water quality, reduce erosion sedimentation runoff and protect the public’s health and safety by minimizing dangers due to potential flooding and landslides.

**Response:** The project parcels contain Bucksnot Creek, including unnamed tributaries, both ephemeral and perennial waterways. Pursuant to Article 37, Section 37(b) all development shall be a minimum of thirty (30) feet from the top of bank of perennial streams, and twenty (20) feet from the top of bank of intermittent streams. According to the design guidelines (see **Exhibit 9 of Exhibit B** -June 18, 2020 PC Staff Report), all infrastructure, except for crossings will be greater than thirty (30) feet from the top of bank of perennial streams, and twenty (20) feet from the top of bank of intermittent streams.

**Article 36 of the Lake County Zoning Ordinance - Floodway Fringe “FF” Combining District:**

The purpose of Article 36 is to provide land use regulations for properties and their improvements situated in the floodplain to ensure protection from hazards and damage which may result from flood waters.

**Response:** No development or structures proposed on the “FF” zones within the Guenoc Valley site and the Santa Clara housing site.

**Article 10 - Single-Family Residential or “R1” District:**

The purpose of Article 10 is to establish areas for individual residential dwelling units at relatively low densities where the traditional neighborhood character of single-family units prevail.

**Response:** As shown in **Exhibit 12 of Exhibit B** (June 18, 2020 PC Staff Report), the R1 portion of the Middletown Housing Site in Middletown complies with the Single Family Residential (R1) Zoning District development standards:

- The proposed single family lots would be approximately 6,050 SF, which is consistent with the zoning ordinance.

- Lot size, setbacks, and dwelling sizes are illustrated on **Exhibit 12 of Exhibit B** (June 18, 2020 PC Staff Report), and comply with the requirements of the Single-Family Residential (R1) Zoning District.
- The density fits in with the surrounding land uses.
- Once a complete Building Permit Application Packet has been submitted, the Planning Department would perform a Zoning Clearance (ZC) to ensure the proposed use has met all necessary regulations, adheres to the approved project and conducting the necessary site inspections.

**Article 11 - Two-Family Residential or “R2” District:**

The purpose of Article 11 is to establish areas for individual residential dwelling units at relatively low densities where the traditional neighborhood character of single-family units prevail. The Two-Family Residential District allow for duplexes with a maximum permitted density of one unit per 4,000 SF.

**Response:** As shown in **Exhibit 12 of Exhibit B** (June 18, 2020 PC Staff Report), the R2 portion of the Middletown Housing Site in Middletown complies with the Two-Family Residential (R2) Zoning District development standards:

- The proposed duplexes would have a density of approximately one unit per 4,261 SF, which is consistent with the zoning ordinance.
- Lot size, setbacks, and dwelling sizes are illustrated on **Exhibit 12 of Exhibit B** (June 18, 2020 PC Staff Report), and comply with the requirements of the Two-Family Residential (R2) Zoning District.
- The project is requesting a Major Use Permit to allow more than 5 duplexes.
- The density fits in with the surrounding land uses.
- Once a complete Building Permit Application Packet has been submitted, the Planning Department would perform a Zoning Clearance (ZC) to ensure the proposed use has met all necessary regulations, adheres to the approved project and conducting the necessary site inspections.

**V. CONDITIONS OF APPROVAL**

Proposed Conditions of Approval are included in Exhibit N. Draft Conditions of Approval include standard conditions of approval, conditions that implement mitigation measures, and conditions identified for the project by County departments and agencies.

**VI. ENVIRONMENTAL IMPACT REPORT (EIR) EXPLANATION/ANALYSIS**

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of their actions. An Environmental Impact Report was prepared for this project. Refer to the Final Environmental Impact Report (**Exhibit R**), including the Mitigation Monitoring and Reporting Plan (Volume I, Section 4), comments on the DEIR and responses to those comments (Volume I, Sections 2 and 3), additional corrections and additions to the DEIR (Volumes II and III). Table ES-1 in the Final EIR (**Exhibit R**) summarizes the impacts and mitigation measures identified in the EIR, as well as the level of significance of impacts before and after mitigation. The MMRP identifies how mitigation measures will be incorporated into the project. Section 5 of the Revised Draft EIR (**Exhibit Q, Volume II**) presents the analysis of alternatives considered in the EIR.

Findings regarding CEQA:

Certification:

Prior to approving a project, the lead agency shall certify that:

- a) The final EIR has been completed in compliance with CEQA.
- b) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project.
- c) The final EIR reflects the lead agency's independent judgment and analysis.

Findings: Draft Findings and Statement of Overriding Considerations are attached for the Board's consideration (see Exhibit 1 of the Supplemental Planning Commission Staff Report, included as **Exhibit C**).

## **VII. RECOMMENDATIONS**

### **A. Adopt the Guenoc Valley Water Supply Assessment with the following findings:**

1. The Waste Supply Assessment meets the all Federal, State and local agency requirements and regulations.
2. The Water Supply Assessment is included in the EIR that was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR.
3. The proposed Water Supply Assessment is necessary to protect the health and safety and welfare of the County.
4. There is adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project as the Water Feasibility Report (Appendix WATER of the Draft EIR (**Exhibit Q**) and Water Supply Assessment (Appendix WSA of the Draft EIR (**Exhibit Q**) describe that potable water to serve the Proposed Project would be provided through on-site groundwater wells and a water treatment and distribution system. The project applicant has provided information demonstrating that the site can provide an adequate private water system consistent with the regulatory requirements of the State Water Resource Control Board - Division of Drinking Water (see Appendix WSA of the Draft EIR (Exhibit Q). Wastewater will be treated onsite and subject to regulation and permitting by the Regional Water Quality Control Board (Appendix WW of the Draft EIR (Exhibit Q).

### **B. Certify the Final Environmental Impact Report, EIR 18-01 (FEIR), and adopt Findings of Facts and a Statement of Overriding Considerations with the following findings:**

1. The Final Environmental Impact Report (EIR) has been completed and is consistent with California Environmental Quality Act (CEQA) and it's implementing Guidelines.



2. The Final Environmental Impact Report (EIR) was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR.
3. The Final Environmental Impact Report (EIR) reflects the lead agency's independent judgment and analysis.
4. The Findings of Fact and Statement of Overriding Considerations have been reviewed and considered.

**C. Approve General Plan Amendment to Policy LU 6.12 of Chapter 3, Section 3.9 (Economic Development) with the following findings:**

1. The proposed General Plan Amendment will be the County of Lake's First Cycle of processing General Plan Amendments and per the California Government Code; Section 65358 the County can only process four (4) cycles per year.
2. The proposed General Plan Policy Amendment as below is consistent with the General Plan, and the Middletown Area Plan.

The General Plan Policy LU 6.12 be revised to include the following new Section 6.12.3:

6.12.3: "The provisions of LU-6.12.1 and 6.12.2 shall not apply to the Special Study Areas of the Middletown Area Plan".

3. The proposed General Plan Amendment is in the public interest as it supports implementation of the Middletown Area Plan and policies of the General Plan, especially related to economic development and support for economically diverse job base, innovative resort/residential communities, agritourism opportunities and resort-related uses while at the same time protecting significant agricultural lands, open space and natural resources of the area as discussed in the Staff Report Packet Dated June 18, 2020.
4. The final Environmental Impact Report (EIR) was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final EIR.

**D. Approve Guenoc Valley General Plan Amendment (GPAP 18-01) with the following findings:**

1. The proposed General Plan Amendment will be the County of Lake's First Cycle of processing General Plan Amendments and per the California Government Code; Section 65358 the County can only process four (4) cycles per year.
2. The proposed General Plan Map Amendments are consistent with the General Plan, and the Middletown Area Plan.
3. The proposed General Plan Amendment is in the public interest as it supports implementation of the Middletown Area Plan and policies of the General Plan, especially

related to economic development and support for economically diverse job base, innovative resort/residential communities, agritourism opportunities and resort-related uses while at the same time protecting significant agricultural lands, open space and natural resources of the area as discussed in Planning Commission Report Packet Dated June 18, 2020 and the Supplemental Staff Report dated June 22, 2020.

4. The uses allowed with the land Use and General Plan Designation are compatible with existing land uses in the vicinity.

**E. Approve Guenoc Valley Zoning Text Amendment (AM 18-04) to adopt new Zoning District (AM 18-04) with the following findings:**

1. This proposal is consistent with the Lake County General Plan, the Middletown Area Plan and Lake County Zoning Ordinance.
2. This proposed amendments are necessary to protect the health and safety and welfare of the County.
3. Amendments would allow for the streamlined processing for the Guenoc Valley Mixed Use commercial Development Project.
4. The Final Environmental Impact Report (EIR) which analyzes the environmental effects of this project has been prepared in accordance with CEQA (**Exhibit R**). CEQA Findings of Fact and a Statement of Overriding Considerations are included in **Exhibit S**.

**F. Approve Guenoc Valley Rezone (RZ 18-01) with the following findings:**

1. The approval of the Guenoc Valley Rezone would ensure consistency with the Lake County General Plan, Middletown Area Plan and the Lake County Zoning Ordinance as a mixed use planned community and commercial resort. Additionally, the project would be consistent with the requested General Plan and zoning designations.
2. There is adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project as the Water Feasibility Report (Appendix WATER of the Draft EIR (**Exhibit Q**) and Water Supply Assessment (Appendix WSA of the Draft EIR (**Exhibit Q**) describe that potable water to serve the Proposed Project would be provided through on-site groundwater wells and a water treatment and distribution system. The project applicant has provided information demonstrating that the site can provide an adequate private water system consistent with the regulatory requirements of the State Water Resource Control Board - Division of Drinking Water (see Appendix WSA of the Draft EIR). Wastewater will be treated onsite and subject to regulation and permitting by the Regional Water Quality Control Board (Appendix WW of the Draft EIR (**Exhibit Q**). Additionally, the project parcels have adequate emergency service protection through South Lake Fire Protection District, and the Lake County Sheriff's Office.
3. The project is adequate in size, shape, location and physical characteristic as it is 16,000 acres in size (all parcels combined) with slopes that range from approximately 20% to greater

than 30%. The project parcels are located in a rural area of the County and are able to accommodate the proposed use. The project site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provisions of public and emergency vehicle access, public services and utilities.

4. The existing streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the existing and proposed developed of the Guenoc Valley Mixed Use Project as the projects parcels are located off Butts Canyon Road, which is maintained by the Lake County Department of Public Works (see Appendix TIS of the Draft EIR (**Exhibit Q**)). Implementation of traffic mitigation improvements in the Traffic Impact Study provided as Appendix TIS of the Draft EIR have been included as conditions of project approval.

**G. Approve General Plan of Development (GPD 18-01) with the following findings:**

1. The uses proposed by the General Plan of Development are consistent with the Lake County General Plan, Lake County Zoning Ordinance and the Middletown Area Plan.
2. The uses proposed by the general plan of development are compatible with the existing land uses in the vicinity.
3. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
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.

**H. Approve Major Use Permit (UP 18-49) for Specific Plan of Development 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 as the use permitted under the proposed SPOD (**Exhibit 8 of Exhibit B**-June 18, 2020 PC Staff Report) will be allowed uses under the proposed zone district (**Exhibit 6 of Exhibit B**). Proposed uses will consist of residential, commercial and open space uses. Effects on neighboring land uses were evaluated in the EIR and found to be less than significant. The proposed Design Guidelines (**Exhibit 9 of Exhibit B**) will further ensure land use compatibility.
2. The project is adequate in size, shape, location and physical characteristic as the project site is approximately 16,000 acres in size (all parcels combined) with slopes that range from approximately 20% to greater than 30%. The project parcels are located in a rural area of the county and are able to accommodate the proposed uses. The project site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provisions of public and emergency vehicle access, public services and utilities.
3. The existing streets, highways and pedestrian facilities are reasonably adequate to safely

accommodate the existing and proposed developed of the Guenoc Valley Mixed Use Project as the projects parcels are located off Butts Canyon Road, which is maintained by the Lake County Department of Public Works (see Appendix TIS of the Draft EIR (**Exhibit Q**)). Implementation of traffic mitigation improvements in the Traffic Impact Study provided as Appendix TIS of the Draft EIR have been included as conditions of project approval.

4. There is adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project as the Water Feasibility Report (Appendix WATER of the Draft EIR and Water Supply Assessment (Appendix WSA of the Draft EIR (**Exhibit Q**)) describe that potable water to serve the Proposed Project would be provided through on-site groundwater wells and a water treatment and distribution system. The project applicant has provided information demonstrating that the site can provide an adequate private water system consistent with the regulatory requirements of the State Water Resource Control Board - Division of Drinking Water (see Appendix WSA of the Draft EIR (**Exhibit Q**)). Wastewater will be treated onsite and subject to regulation and permitting by the Regional Water Quality Control Board (Appendix WW of the Draft EIR (**Exhibit Q**)). Additionally, the project parcels have adequate emergency service protection through South Lake Fire Protection District, and the Lake County Sheriff's Office.
5. That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan with the approval of the requested General Plan Amendment, Rezone, General Plan of Development and Major Use Permit for a Specific Plan of Development, the project would be in conformance with the Lake County General Plan, Middletown Area Plan and the Lake County Zoning Ordinance as a Mixed Use Project.

6. There are no known violations for existing land uses within the Guenoc Ranch at this time.

**I. Approve Tentative Subdivision Phase 1 Map (SD 18-01) for the Guenoc Valley Mixed Use Commercial Development Project with the following findings:**

1. This project is consistent with the Lake County General Plan, Zoning Ordinance, and the Middletown Area Plan.
2. This project is consistent with the State Subdivision Map Act and Chapter 17 of the Lake County Code.
3. Structural fire protection and suppression services will be available for the subdivision through South Lake Fire Protection District and the California Department of Forest and Protection (Calfire).
4. Ingress and egress for the subdivision meets the regulations regarding road standards for the fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable ordinance.
5. The Final Environmental Impact Report (EIR) which analyzes the environmental effects of this project has been prepared in accordance with CEQA (**Exhibit R**). CEQA Findings of Fact and

a Statement of Overriding Considerations are included in **Exhibit S**.

**J. Approve Development Agreement (DA 18-01) with the following findings:**

1. The proposed Development Agreement ensures consistency with the goals and objectives of the General Plan and the Middletown Area Plan.
2. The proposed Development Agreement outlines a Project as described in the General Plan of Development (**Exhibit 7 of Exhibit B** (June 18, 2020 PC Staff Report)) and the Specific Plan of Development (**Exhibit 8 of Exhibit B**) for the new zoning district GVD, which is a combination of Planned Development Residential (PDR) and Planned Development Commercial (PDC), in response to the goals and objectives of the Middletown Area Plan.
3. The proposed Development Agreement provides for public convenience and economic viability for the surrounding community. The Lake County Economic Development Plan 2016 outlines where Lake County should focus efforts to maintain a resilient economy and rebuild due to the devastating wildfires of 2015. In 2015, Lake County suffered three separate wildfires that burned approximately 171,000 acres of wild land, forest, and residential property, and resulted in the cumulative loss of 1,329 homes and damage of over 70 commercial properties. The Economic Development Plan specifically identifies the need to develop more tourist destinations, lodging, and agritourism - all of which are included in the Proposed Project plans. The applicant proposes to develop a portion of the project site into a luxury resort, consisting of hotels, retail and commercial uses, residential housing, and outdoor recreation amenities, including a golf course and equestrian facilities. The Proposed Project incorporates low impact development and open space preservation with an integrative animal husbandry element for fuel reduction management. According to the applicant, one of the project's objectives is to plan for long term growth of the County with a significant fiscal contribution toward the county's community goals of new economic, employment, and housing opportunities.
4. The project will also include fire breaks and a Wildfire Prevention Plan, as well as emergency response and fire center. The emergency response and fire center would be located on the eastern portion of the Guenoc Valley Site near Upper Bohn Lake and include a fire response center, medical staff, and a helipad dedicated for emergency purposes. The fire response center would house firefighting equipment and fire engines and serve as a headquarter space in case of emergency.
5. The proposed Development Agreement will not be detrimental to the public health, safety, and general welfare. A detailed analysis of hazards is included in the EIR for the project (**Exhibit Q**), especially Section 3.8 - Hazards and Section 3.16 - Wildfire. Elements of the project will serve to ensure public health, safety, and general welfare, and one of the primary objectives of the agreement is to confirm the timely construction of the proposed emergency response center.
6. The DDA will implement the planned and orderly development of the project subject to the General Plan of Development and the Specific Plan of Development. The Proposed Project and therefore the Development Agreement will preserve and enhance the property values of the County.

**Middletown Offsite Housing (Santa Clara Site)**

**K. Approve Santa Clara Rezone (RZ 20-01) with the following findings:**

1. This amendment is consistent with the Lake County General Plan, the Middletown Area Plan and Lake County Zoning Ordinance.
2. The Guenoc Valley Mixed Use Commercial Development Project are compatible with existing land uses in the vicinity.
3. The Final Environmental Impact Report (EIR) which analyzes the environmental effects of this project has been prepared in accordance with CEQA (Exhibit R). CEQA Findings of Fact and a Statement of Overriding Considerations are included in **Exhibit S**.

**L. Approve Tentative Santa Clara Subdivision Map (SD 20-01) with the following findings:**

1. This project is consistent with the Lake County General Plan, Zoning Ordinance, and the Middletown Area Plan.
2. This project is consistent with the State Subdivision Map Act and Chapter 17 of the Lake County Code.
3. Structural fire protection and suppression services will be available for the subdivision through South Lake Fire Protection District and the California Department of Forest and Protection (Calfire).
4. Ingress and egress for the subdivision meets the regulations regarding road standards for the fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable ordinance.
5. The Final Environmental Impact Report (EIR) which analyzes the environmental effects of this project has been prepared in accordance with CEQA (Exhibit R). CEQA Findings of Fact and a Statement of Overriding Considerations are included in **Exhibit S**.

**M. Approve Major Use Permit (UP 20-02) for the Community Clubhouse and more than five duplexes (Santa Clara) 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 as upon issuance of a Major Use permit the community clubhouse and duplexes in this location will benefit the general welfare of the surrounding neighborhood - the Workforce Housing neighborhood. Once a complete Building Permit Application Packet has been

submitted, the Planning Department would perform a Zoning Clearance (ZC) to ensure the proposed use has met all necessary regulations, adheres to the approved project and conducting the necessary site inspections.

2. The project parcel is adequate in size, shape, location and physical characteristic as it exceeds the minimum lot size of 20,000 square feet in size for a Community club by approximately 23,560 (community club parcel is approximately one (1) acre in size). The duplex project parcels are adequate in size, shape, location and physical characteristic as they exceed the minimum density of 4,000 square feet per duplex dwelling unit (29 duplex dwelling units are proposed within a 3.5 acre area, resulting in a density of 1 duplex unit per 5,257 square feet.)
3. The existing streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the proposed community clubhouse and duplexes, as the Santa Clara Site is accessed directly via eastbound Santa Clara Road, which is maintained by the Lake County Department of Public Works (see Appendix TIS of the Draft EIR (**Exhibit Q**). Implementation of traffic mitigation improvements in the Traffic Impact Study provided as Appendix TIS of the Draft EIR have been included as conditions of project approval. Additionally, all necessary permits shall be obtain from the Lake County Department of Public Works and the California Department of Transportation (Caltrans).
4. 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 as indicated the Environmental Impact Report (EIR).
5. The community clubhouse and proposed duplex units are in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan upon approval of the Guenoc valley Mixed Use commercial Development Project.
6. There are no known violations for existing land uses within the Santa Clara Site at this time.

**If not budgeted, fill in the blanks below only:**

Estimated Cost: N/A Amount Budgeted: N/A Additional Requested: N/A Future Annual Cost: N/A

**Consistency with Vision 2028 and/or Fiscal Crisis Management Plan** (check all that apply):

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> Well-being of Residents         | <input type="checkbox"/> Public Safety               | <input type="checkbox"/> Infrastructure   | <input type="checkbox"/> Not applicable             |
| <input checked="" type="checkbox"/> Economic Development | <input type="checkbox"/> Disaster Recovery           | <input type="checkbox"/> County Workforce | <input type="checkbox"/> <i>Technology Upgrades</i> |
| <input type="checkbox"/> Community Collaboration         | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake       | <input type="checkbox"/> <i>Revenue Generation</i>  |
|  |  |   | <input type="checkbox"/> <i>Cost Savings</i>        |

**If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:**

Which exemption is being requested?  
How long has Agreement been in place?  
When was purchase last rebid?  
Reason for request to waive bid?

**Recommended Action:**

**SAMPLE MOTIONS**

**Environmental Impact Report (EIR 18-01) - Adopt Water Supply Assessment, Certify the Final EIR, Adopt CEQA Findings, Statement of Overriding Considerations and Mitigation Monitoring Reporting Program**

I move that Board of Supervisors adopt the Water Supply Assessment, certify that the Final Environmental Impact Report, EIR 18-01 (FEIR) prepared for the Guenoc Valley Mixed Use Planned Development Project has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, adopt the Mitigation Monitoring and Reporting Program, and adopt the Findings of Fact and Statement of Overriding Considerations.

**GENERAL PLAN POLICY MOTIONS**

**Lake County General Plan**

I move that the Board of Supervisors make a motion to amend General Plan Policy LU 6.12 of Chapter 3, Section 3.9 (Economic Development) of the Lake Country General Plan, because it is in the public interest as it supports implementation of the Middletown Area Plan and policies of the General Plan, especially related to economic development and support for economically diverse job base, innovative resort/residential communities, agritourism opportunities and resort-related uses while at the same time protecting significant agricultural lands, open space and natural resources of the area, as further presented in the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020 to include the following section: "6.12.3 The provisions of 6.12.1 and 6.12.2 shall not apply to the Special Study Area of the Middletown Area Plan".

**GUENOC VALLEY MIXED USE DEVELOPMENT MOTIONS**

**General Plan Amendment Approval (GPAP 18-01)**

I offer the resolution.

**Zoning Text Amendment (AM 18-04)**

I move that the Board of Supervisors approve the Zoning Ordinance Text Amendment (AM 18-04) applied for by Lotusland Land Investments Holdings, Inc. for the reasons listed in the Memorandum dated July 17, 2020.

I move that the reading of the Ordinance be waived and be read in title only.

I offer the Ordinance and recommend that it be advanced to the next agenda for a second reading.

**Rezone (RZ 18-01)**

I move that the reading of the ordinance be waived and the title only be read. I offer the ordinance.

**General Plan of Development (GPD 18-01)**

I move that the Board of Supervisors approve the General Plan of Development (GPD 18-01) applied for by Lotusland Land Investments Holdings, Inc., subject to the Conditions of Approval and with the findings and reasons listed in the Environmental Impacts Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

**Major Use Permit (UP 18-49)**



I move that the Board of Supervisors find that Major Use Permit (UP 18-49), applied for by Lotusland Land Investments Holdings, Inc., does meet the requirements of Article 15, Section 15.7 and Article 51, Section 51.4 of the Lake County Zoning Ordinance and grant the Major Use Permit for the Guenoc Valley Mixed Use Planned Development Project subject to the Conditions of Approval, and with the findings listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

#### **Tentative Subdivision Maps Approval (SD 18-01)**

I move that the Board of Supervisors make a motion and find the Tentative Subdivision Maps (SD 18-01) applied for by Lotusland Land Investments Holdings, Inc. is in conformity with the provisions of the Subdivision Map Act and Chapter 17 of the Lake County Code and upon that basis, the Board of Supervisors approve said map, subject to the Conditions of Approval, and with the reasons and findings of approval listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

#### **Development Agreement (DA 18-01)**

I move that the Board of Supervisors make a motion of approval for the Development Agreement (DA 18-01) applied for by Lotusland Land Investments Holdings, Inc. based on the reasons and findings of approval listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

### **MIDDLETOWN OFFSITE HOUSING (SANTA CLARA SITE) MOTIONS**

#### **Rezone (RZ 20-01)**

I move that the reading of the ordinance be waived and the title only be read. I offer the ordinance.

#### **Tentative Subdivision Map Approval (SD 20-01)**

I move that the Board of Supervisors make a motion and find the Tentative Subdivision Map (SD 20-01) applied for by Lotusland Land Investments Holdings, Inc. is in conformity with the provisions of the Subdivision Map Act and Chapter 17 of the Lake County Code and upon that basis, the Board of Supervisors approve said map subject to the Conditions of Approval and with the reasons and findings of approval listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

#### **Major Use Permit (UP 20-02)**

I move that the Board of Supervisors find that Major Use Permit (UP 20-02) for the community clubhouse and duplexes applied for by Lotusland Land Investments Holdings, Inc. does meet the requirements of Article 51, Section 51.4 and Article 27, Section 27.11(f) of the Lake County Zoning Ordinance and grant the Major Use Permit, UP 20-02 subject to the Conditions of Approval, and with the findings listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.