



Legislation Text

File #: 22-616, **Version:** 1

Memorandum

Date: June 14, 2022

To: The Honorable Lake County Board of Supervisors

From: Anita Grant, County Counsel

Subject: Consideration of Action to Rescind by Resolution and Ordinances the County's Prior Land Use Approvals for the Guenoc Valley Mixed Use Planned Development Project

- a. A Resolution Vacating, Setting Aside, and Rescinding Land Use Approvals for the Guenoc Mixed Use Planned Development Project
- b. An Ordinance Rescinding Lake County Ordinance No. 3093
- c. An Ordinance Rescinding Lake County Ordinance No. 3094
- d. An Ordinance Rescinding Lake County Ordinance No. 3095

Executive Summary:

On July 21 and August 4, 2020, the Lake County Board of Supervisors approved a number of actions in regard to the Guenoc Valley Mixed Use Planned Development Project (the "Project"). The actions of the Board of Supervisors were challenged in Superior Court by separate petitions for peremptory writ of mandate, which actions were subsequently consolidated for certain purposes by the Court.

In its Ruling and Order on Petitions for Writ of Mandate, the Superior Court expressly concluded that the County's findings regarding community emergency evacuation routes were not supported by substantial evidence and, for that reason, the Environmental Impact Report (the "EIR") did not comply with the California Environmental Quality Act. As a result of that limited ruling in favor of the petitioners, the Superior Court entered its Judgment and issued a Peremptory Writ of Mandate wherein the Court ordered the County to set aside and vacate its certification of the final EIR, findings relating to impacts to an adopted emergency evacuation plan, and other specified approvals of the Project.

Presented for your Board's consideration are the following:

- a. A Resolution Vacating, Setting Aside, and Rescinding Land Use Approvals for the Guenoc Mixed Use Planned Development Project
- b. An Ordinance Rescinding Lake County Ordinance No. 3093
- c. An Ordinance Rescinding Lake County Ordinance No. 3094

d. An Ordinance Rescinding Lake County Ordinance No. 3095

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 (check all that apply):

☐ Not applicable

- ☐ Well-being of Residents
- ☐ Economic Development
- ☐ Community Collaboration

- ☐ Public Safety
- ☐ Infrastructure
- ☐ Business Process Efficiency

- ☐ Disaster Prevention, Preparedness, Recovery
- ☐ County Workforce
- ☐ Clear Lake

Recommended Action:

Your Board may offer the Resolution for approval.

As to each of the ordinances, the following actions will be necessary:

1. A motion to waive reading of the ordinance and have it read in title only; and
2. A motion to advance the ordinance to the next regular board meeting.

Thank you.