



CITY OF CLEARLAKE

Planning Commission

STAFF REPORT	
SUBJECT: General Plan Consistency Determination, GPCD 2023-06 And Categorical Exemption CE 2023-06	MEETING DATE (Regular): 05/09/2023
SUBMITTED BY: Community Development Department - Planning	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	
LOCATION: 16336 29th Avenue Clearlake, CA 95422 APN: 042-253-200-000	APPLICANT/OWNER: City of Clearlake/ James Saunders
ZONING: Low Density Residential (LDR)	GENERAL PLAN: Medium Density Residential

WHAT IS BEING ASKED OF THE PLANNING COMMISSION

The Planning Commission is being asked to make a determination of general plan consistency and environmental determination for the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 042-253-200-000, and is commonly known as 16336 29th Avenue, Clearlake, CA 95422.

BACKGROUND/DISCUSSION

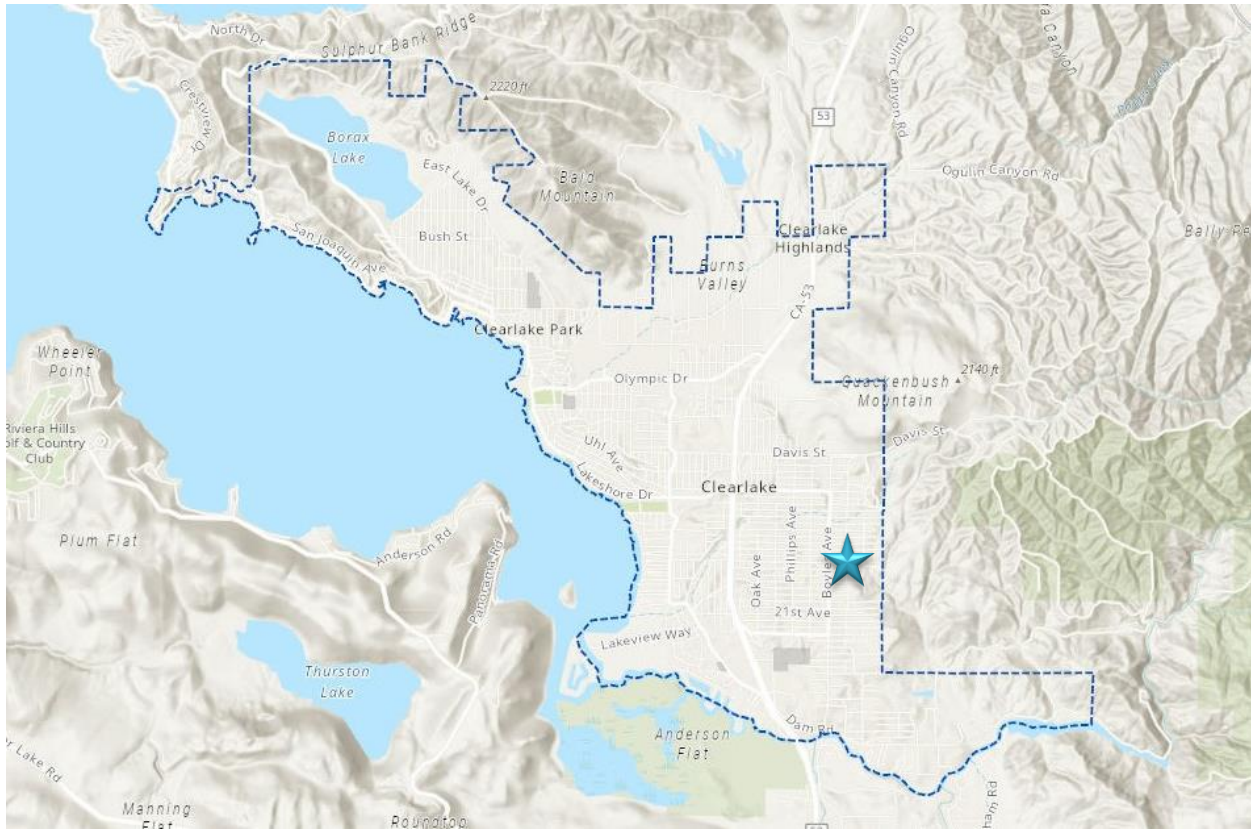
The property is one parcel, lot 8, located in the Clear Lake Highlands Tract 2 subdivision and is undeveloped.

Adjacent lots are also undeveloped and zoned LDR. Surrounding lots are zoned LDR to the north, south, east, and west with Rural Residential lots to the east, beyond the LDR zone. This parcel is generally rectangular in shape and approximately 0.11 acres in size (5,000 square feet). The surrounding lots are predominantly rectangular in shape and approximately 5,000 square feet in area.

This parcel is approximately one and one-half miles from Clearlake Shopping Center, two and one-half miles to Lakeshore Drive downtown, and three miles to Austin Park.

Roads

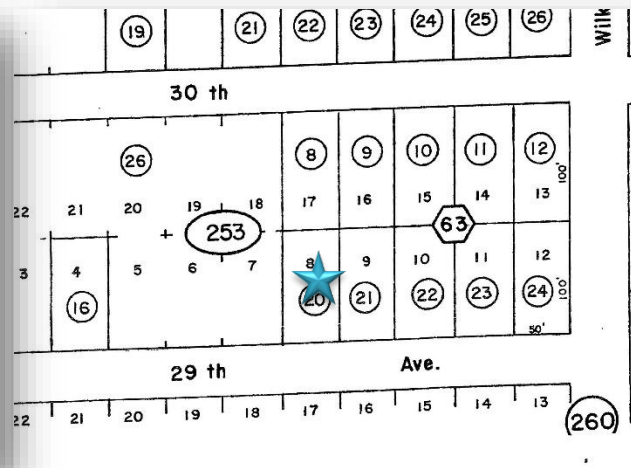
According to the City of Clearlake "Public and Private Streets" map, roads in the area are predominantly public. 29th Avenue is an unimproved forty-foot right-of-way.



Location Map



Aerial of Parcel



APN: 042-253-200-000

Water

Konocti Water District. Nearest pipe is 400 feet to the west at the intersection of 29th Avenue and Konocti Avenue

Sewer

County of Lake Special Districts, gravity main and force main. Transects parcel diagonally from the southwest to the northeast.

Power

Pacific Gas Electric.

Topography

Mix of 0 to 30 percent slope and greater (source: Lake County Parcel Quest/ESRI). Down slope direction is to rear of lot.

Vegetation

Oak trees and shrubs.

Flood Area

Zone X: 0.2 percent annual chance flood hazard. Areas of 1 percent annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Sources: FEMA Flood Map Service Center, County of Lake Parcel Viewer).

Code Enforcement

No active cases.

GENERAL PLAN AND ZONING ORDINANCE CONSISTENCY

General Plan

The parcel and immediate surrounding area are designated as Medium Density Residential which allows for residential densities of up to 15 units per acre. The primary use would be single-family detached and attached residential. All general plan land use policy elements applicable for this parcel.

Zoning Ordinance

The LDR Zone is intended primarily to provide housing opportunities for people who want private open space associated with individual dwellings. It is intended to preserve existing single-family neighborhoods, provide for compatible infill development in such areas and prescribe the overall character of newly subdivided low density areas. The LDR Zone will be applied to areas designated "medium and high density residential" on the Clearlake General Plan Zoning Map. Minimum lot size is 0.11 acres or 5,000 square feet (Section 18-4.020 Property Development Standards).

ENVIRONMENTAL REVIEW (CEQA)

Categorical Exemption CE 2023-06

The California Environmental Quality Act (CEQA) Statute and Guidelines, Article 5, Preliminary Review of Projects and Conduct of Initial Study, Section 15061, Review for Exemptions (b)(3),

states that “activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Further, Article 12, Special Situations, Section 15183 (a), Projects Consistent with a Community Plan or Zoning, mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site.

Staff has determined that the GPCD is consistent with zoning, general plan policies, and does not require additional environmental review.

ENABLING PROVISIONS OF THE PLANNING COMMISSION

Government Code Section 65402 states that prior to the conveyance of real property by a government agency, the planning agency must first make the finding that the location, extent, and purpose of such conveyance is in conformance with the General Plan. The city is requesting a determination of General Plan consistency for the proposed transfer of 16336 29th Avenue, Clearlake, CA 95422.

RECOMMENDATION

Staff recommends option 1 below – that the Planning Commission move to Adopt Resolution PC 2023-07, a Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.

MOTION/OPTIONS

1. Move to Adopt Resolution PC 2023-07, A Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.
2. Move to Deny Resolution PC 2023-07 and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

ATTACHMENT(S)

1. Attachment 1-Resolution
2. Attachment 2-Deed(s)