



CITY OF CLEARLAKE

Planning Commission

STAFF REPORT	
SUBJECT: General Plan Consistency Determination, GPCD 2023-02 Categorical Exemption CE 2023-02	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: 6820 Old Highway 53 Clearlake, CA 95422 APN: 010-031-08-000	APPLICANT/OWNER: City of Clearlake/ Lower Lake Leasing Inc.
ZONING: General Commercial (GC)	GENERAL PLAN: General Commercial

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 010-031-08-000, and is commonly known as 6820 Old Highway 53, Clearlake, CA 95422.

BACKGROUND/DISCUSSION

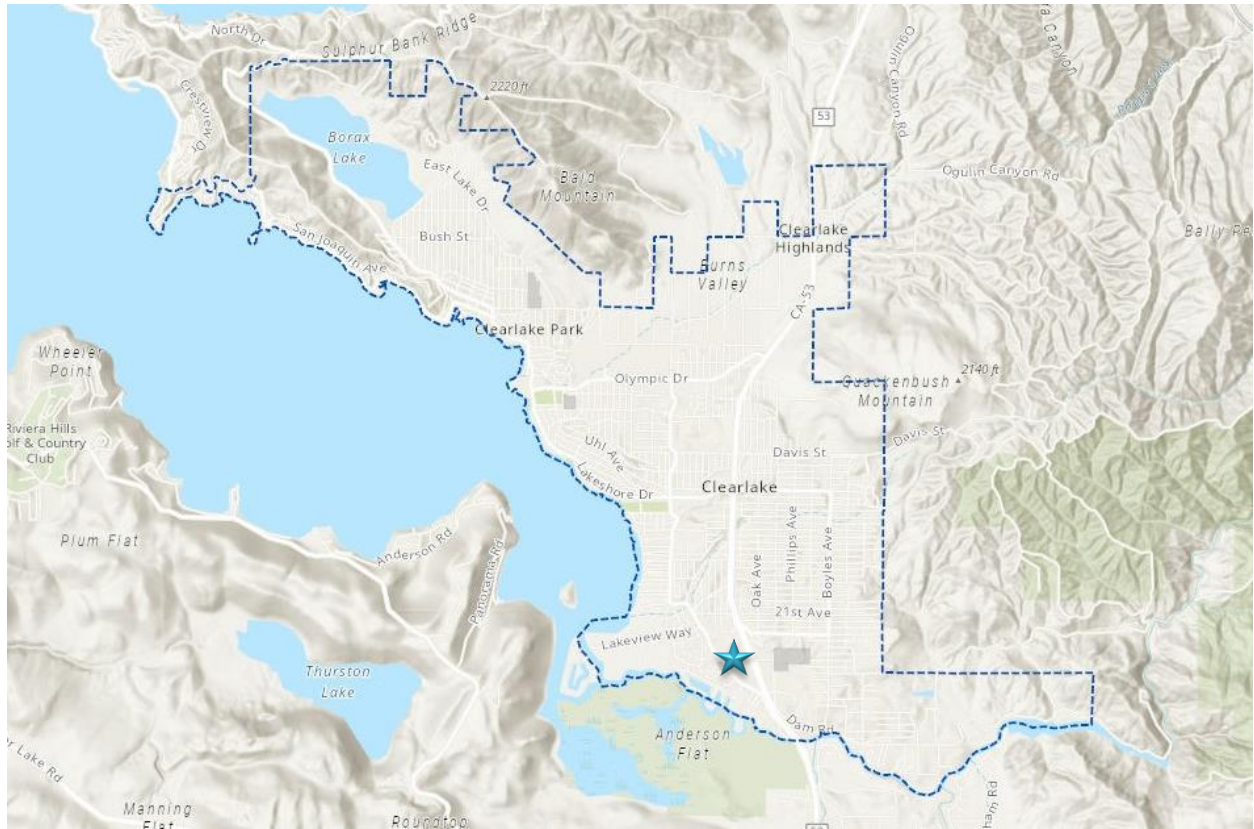
The property is one parcel, located Block 43 of the “A Portion of SE1/4 of NW1/4 SEC. 34 T13N R7W. Currently, the parcel is undeveloped.

The surrounding lots are predominantly vacant or developed with commercial structures and zoned “GC” General Commercial. Beyond the surrounding lots are areas zoned General Commercial to the north, south and east and high density residential to the west.

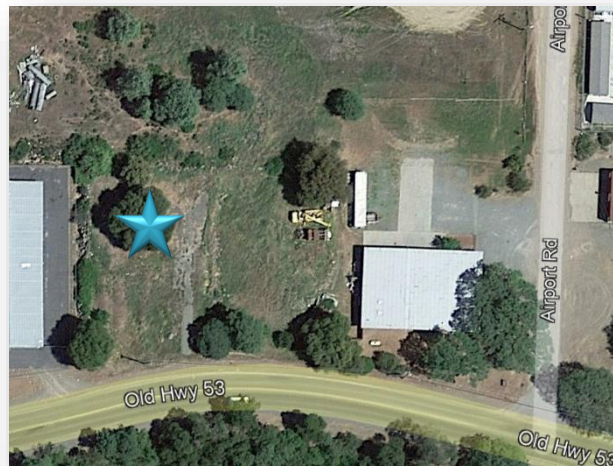
This parcel is generally square in shape and approximately 0.31 acres in size (13,503 square feet). The surrounding lots are predominately rectangular/square or irregular in shape and are greater than quarter an acre in size. The parcel is within a 0.25 to 0.50 miles of driving/walking distance to the hospital located off of 18th Avenue and a large commercial development located off of Dam Road/Dam Road Extension (i.e. Walmart, Tractor Supply, Big 5, Sporting Goods, Starbucks, Fast Food Chains).

Roads

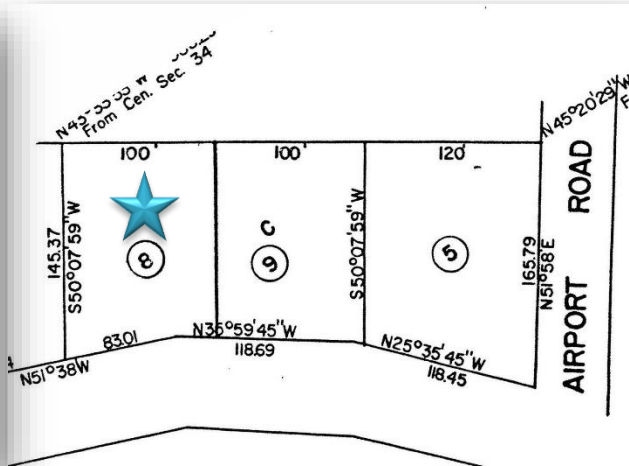
According to the City of Clearlake "Public and Private Streets" map, roads in the area are predominantly public. Old Highway 53 Avenue is an all-weather surface road within a 40 to 50foot right-of-way.



Location Map



Aerial of Parcel



APN: 010-031-080-000

Water

Highlands Water District, 6-inch pipeline.

Sewer

County of Lake Special Districts, gravity main.

Power

Pacific Gas Electric.

Topography

Predominantly 0 to 10 percent slope (source: Lake County Parcel Quest/ESRI).

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 General Commercial which provides sites for general commercial uses which are diverse, visually pleasing, convenient in terms of parking and access. All general plan land use policy elements applicable for this parcel.

Zoning Ordinance

The parcel and immediate surrounding area are designated as General Commercial which provides sites for general commercial uses which are diverse, visually pleasing, convenient in terms of parking and access. Depending on the type of use, it may require securing a discretionary permit (i.e. Administrative or Conditional Use Permit, etc) prior to operation/development occurring.

Chapter 18-23, Section 18-23.020 (Non-Conforming Uses):

The existing single-family dwelling was constructed in approximately 1973 and per Chapter 18-23 of the Municipal code, the use is considered non-conforming as it was prior to the adoption/amendments to the Zoning Codes/Regulations. A non-conforming use may continue if the use does not cease for a continuous period of six (6) months. If the use ceases for greater than six (6) months, it shall be considered abandoned and shall be used only in accordance with the regulations for the zoning district it is located in.

ENVIRONMENTAL REVIEW (CEQA)

Categorical Exemption CE 2023-02

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 6820 Old Highway 53, Clearlake, CA 95422, further described as assessor parcel number 010-031-08-000.

RECOMMENDATION

Staff recommends option 1 below – that the Planning Commission move to Adopt Resolution PC 2023-03, 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 2023-03, 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 2023-03 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)