



CITY OF CLEARLAKE

Planning Commission

STAFF REPORT	
SUBJECT: General Plan Consistency Determination, GPCD 2023-05 Categorical Exemption CE 2023-05	MEETING DATE (Regular): 5/9/2023
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: 16178 35th Avenue Clearlake, CA 95422 APN: 041-211-280-000	APPLICANT/OWNER: City of Clearlake/ City of Clearlake
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 (disposal) of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 041-211-280-000, and is commonly known as 16178 35th Avenue, Clearlake, CA 95422.

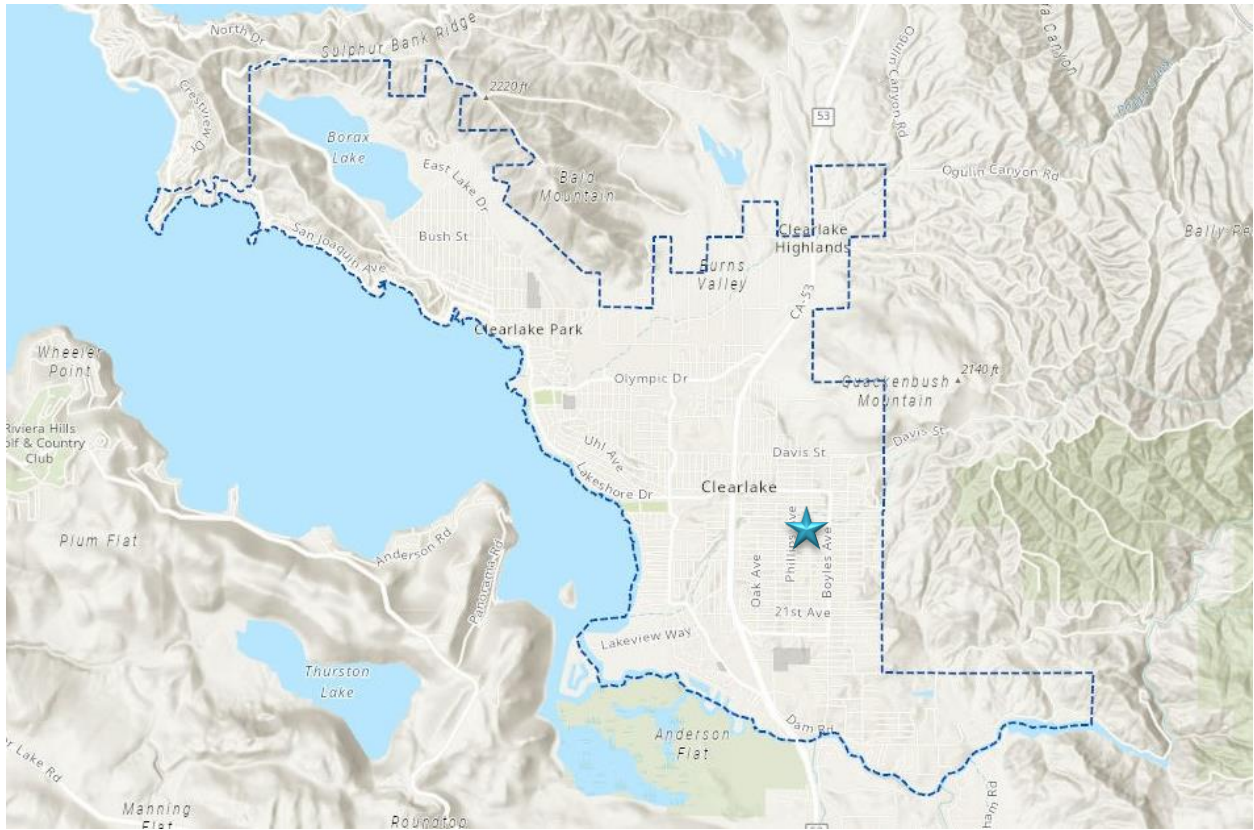
BACKGROUND/DISCUSSION

The parcel is comprised of lots 5 and 6, located Block 10 of Tract No. 3 Clear Lake Highlands”. The parcel is currently vacant.

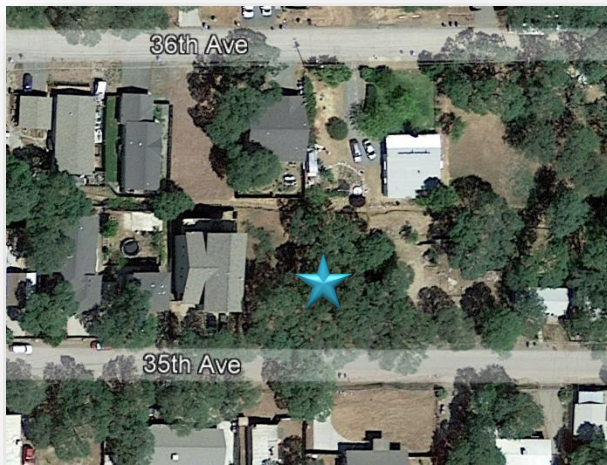
The surrounding lots are a mix of vacant and lots developed with residential and accessory structures, also zoned LDR. This parcel is generally square in shape and approximately 0.23 acres in size (10,000 square feet). The surrounding lots are predominately rectangular in shape and approximately 5,000 square feet in size.

Roads

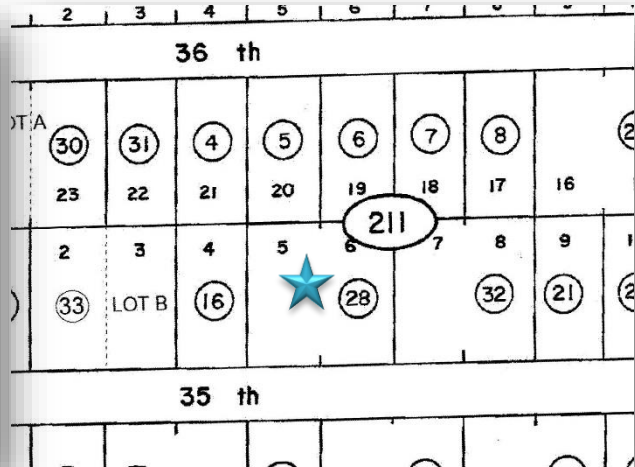
According to the City of Clearlake “Public and Private Streets” GIS map, roads in the area are predominantly public. 35th Avenue is an all-weather surface road within a forty-foot right-of way.



Location Map



Aerial of Parcel



APN: 041-211-280-000

Water

Konocti Water District, 6-inch pipeline.

Sewer

County of Lake Special Districts, gravity main.

Power

Pacific Gas Electric.

Topography

Predominantly 10 to 20 percent slope (source: Lake County Parcel Quest/ESRI). Slope direction is to rear of lot.

Vegetation

Multiple Oak trees.

Flood Area

Zone D. Possible but undetermined flood hazards or unstudied areas (Source: FEMA Flood Map Service Center).

Code Enforcement

No active cases.

The property could be developed with a residential use per Section 18-18 Use Regulations of the municipal code.

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. 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. This zone shall be applied to areas designated "low density residential" on the Clearlake General Plan Zoning Map. Minimum lot size is 0.11 acres or 5,000 square feet (Section 18-5.020 Property Development Standards).

ENVIRONMENTAL REVIEW (CEQA)

Categorical Exemption CE 2023-05

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 16178 35th Avenue, Clearlake, CA 95422.

RECOMMENDATION

Staff recommends option 1 below – that the Planning Commission move to Adopt Resolution PC 2023-06, 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 2023-06, 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 2023-06 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)