



CITY OF LAKEPORT
COMMUNITY DEVELOPMENT DEPARTMENT
MITIGATED NEGATIVE DECLARATION &
INITIAL ENVIRONMENTAL STUDY

DATE:

FILE NO: GPA 15-02, GPA 15-03, ZC 15-02, ZC 15-03, PM 15-01

APPLICANT & LAND OWNER: Ray Somberg/ D & R Properties, LLC

ADDRESS:

CIVIL ENGINEER: Conser Land Surveying, Steve Bellah

STAFF CONTACT: Daniel Chance, Associate Planner

PROJECT LOCATION: The property is 7.8 acres in size, located easterly of South Main Street, and is currently being developed as Phase 1 (14 condominium lots) on a portion of the property. That development includes two roadways, Queen Ann Way and Hampton Way, with Queen Ann Way being the primary access from South Main Street.

The property is located in the southern portion of the City Lakeport. The subject property is located at 1930 South Main Street and 10 Queen Ann Way and is further described as APN 05-038-33 & 34. The property was previously known as "Victorian Village" with 95-condominium lots, divided into in the 8 phases. Only Phase 1 was recorded and developed with 14-units. Those homes are currently in various stages of development. The other phases of the original project, Phase 2 thru 7 (70 units) in the rear of the property and Phase 8 (12 units) fronting South Main Street have not been recorded or developed. The property was originally used as an RV (recreational vehicle) park. The property outside of "Victorian Village" Phase 1 is currently vacant, with some roadways, utilities, and parking spaces for the former RV Park. The utilities (electrical, water and sewer lines) for the original RV Park are still in place, but disconnected.

GENERAL PLAN DESIGNATION AND ZONING DISTRICT: The City of Lakeport General Plan designates the property as "Resort Residential." The City of Lakeport Zoning Map identifies the property as "R-5 Resort/High Density Residential."

PROJECT DESCRIPTION: The proposed project consists of two General Plan Amendments that includes changing the property fronting on South Main Street

from Resort Residential to Major Retail and changing the property located easterly and Behind "Victorian Village" (Phase 1) from Resort Residential to Residential. The proposed project consists of two Rezoning's that include changing the property fronting on South Main Street from R-5/PD, Resort/High Density Residential/Planned Development to C-2, Major Retail and changing the property located easterly and behind "Victorian Village" (Phase 1) from R-5/PD, Resort High Density Residential/Planned Development to R-1 Low Density Residential. The project also includes a minor subdivision that would create four lots. The subdivision would include creating three residential lots located easterly and behind "Victorian Village" (Phase 1), as well as identifying the property fronting on South Main Street as a legal lot of record, Parcel 4. The front lot would be commercial, as part of land use and zoning changes.

SURROUNDING LAND USE: To the south of the property is the Record Bee facility zoned C-2, Major Retail, and vacant land with a residence located behind, zoned R-5 PD, Resort/High Density Residential, Planned Development. North of the property is a vacant parcel fronting South Main Street, zoned C-2, Major Retail, and a Mobile Home Park, zoned R-2 PD, Medium Density Residential/Planned Development. West of the site on the other side of South Main Street is retail commercial property zoned C-2, Major Retail and commercial property zoned C-3, Service Commercial. East of the property is vacant/open space in the County with a land use of Agriculture.

OTHER PUBLIC AGENCIES:

INITIAL STUDY AND ENVIRONMENTAL REVIEW

The proposed **General Plan Amendments, Rezoning, and Parcel Map** is subject to the provisions of the California Environmental Quality Act. It is also subject to Chapter 8 of the City of Lakeport Municipal Code and Resolution No. 1160, both of which deal with environmental review. The following Initial Study/environmental review identifies potentially significant impacts associated with the project and suggests mitigation measures which will reduce the impacts to a less than significant level.

I. AESTHETICS:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Response I a): The project will not substantially damage scenic resources within a state scenic highway as there is no scenic highway in the vicinity of the project site.

Response I b): The proposal will not substantially degrade the existing visual character or quality of the site and its surroundings. The existing site was formerly utilized as an RV park for several years and there are no significant or notable structures or other improvements that will be impacted by the proposed project. The proposed project, through the development of three residential units in the rear of the property and the potential for commercial development along South Main Street, with associated landscaping materials, will not significantly impact the visual character or impact a scenic quality of the site.

Response I c): It should be noted that some existing trees will be removed from the site in order to develop the proposed three single family residential units. The types of trees on the property include cottonwood, ash, maple, walnut, oak, and birch, all non-native trees associated with the previous RV-Park. The potential development of the three single family residential units and the commercial property along South Main would not substantially degrade the visual character of the site or surrounding area.

Response I d): The project provides for the potential development of three single family residential units and one commercial building that would not create the potential for substantial light and glare; or would adversely affect day or nighttime views in the area. The applicant would be conditioned to meet the City of Lakeport lighting standards that all exterior lighting will be shielded, downlit or otherwise designed so as to eliminate glare-related impacts.

II. AGRICULTURE RESOURCES:

Would the project:

	Potentially Significant Impact	Less Than Significant with	Less Than Significant Impact	No Impact

		Mitigation Incorporation		
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Response II a): The property is located in an urban/built up area and would not reflect a conversion of prime farmland or unique farmland.

Response II b): The property is not currently involved in agricultural uses or listed under Williamson act contract.

Response II c): The project would not represent a loss or conversion of farmland.

III. AIR QUALITY:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed		X		

quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Response III a): The potential small development of the three single family residential units and the commercial property along South Main would not significantly alter or obstruct air quality plans.

Response III b): The size and scope of the project would not violate any air quality standards

Response III c): The construction of the permanent structures and other site improvements may result in temporary localized increases in particulate air pollution. The project would be conditioned that prohibits the burning of construction debris or vegetation. Appropriate mitigation measure will be imposed to minimize the generation of dust during construction periods.

Response III d, e): The scope and size of the proposed project with the potential for the development of three single family residential units and the commercial property along South Main would not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people

Mitigation Measures – Air Quality

1. Site work shall incorporate adequate dust suppression measures including frequent watering, palliatives, and/or surfacing to reduce dust from construction activities. Vehicular access to exposed grading areas which have not been surfaced may be a source of fugitive dust if uncontrolled. Dust emissions should not impact beyond the property boundary. Driveways, interior roads, and parking areas to be paved. Serpentine cannot be used for surfacing material.

IV. BIOLOGICAL RESOURCES:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

ENVIRONMENTAL SETTING

The City of Lakeport is located within the eco-region known as the Northern California Interior Coast Ranges. Northern California Interior Coast Ranges vegetation is predominately characterized by the Blue Oak series, Chamise series, Purple needle grass series, and Foothill pine series. The vegetation within these plant communities vary greatly and are generally influenced by several ecological factors, including the amount of water available, soil depth and chemistry, slope and aspect (angle of the terrain with regard to direct sunlight), and climate.

Response IV a): The proposed development of the site could have some impact on the diversity and numbers of existing plant and animals on the subject property; however, the fact that the site is developed with an existing RV park has resulted in a change in the conditions

associated with the native plant environment and habitat. There is a dredged lagoon and vegetated areas on the west side of the site. However, the size and scope of three residential dwelling units in the immediate area would not significant increase in runoff generated from the subject site which could impact biological resources within the lagoon area, and the off-site run off into the lagoon would be similar to what has historically taken place with the RV Park.

Response IV b): Due to the scope of the project and the fact that it is a conversion of an existing RV park, the proposal will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the United States Fish and Wildlife Service. For the same reasons, the proposal will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

Response IV c): The fact that there are no designated wetland areas on the site means that the proposal will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Response IV d): The developed nature of the existing site means that potential development of three residential units and a commercial building will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Response IV e): Development of the proposed project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Chapter 17.21 of the City of Lakeport Municipal Code sets forth the guidelines for native tree preservation and lists several tree species that must be replaced if they are removed in conjunction with a development project. As described in the Aesthetics section of this report, some of the existing trees will be removed in conjunction with the development of the three homes in the rear of the property.

Although some of trees would be required to be removed from the site for the development of roadways and homes, the majority are not native trees as they were planted in conjunction with the development of the RV Park approximately 22 years ago.

Response IV f): The proposed project would not have an impact on any Habitat Conservation Plans, Natural Community Conservation Plan or any

V. CULTURAL RESOURCES:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in				X

15064.5?				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Response V a): The property is currently vacant, and with a former use as an RV park; there are no historic structures on the property.

Response V b-d): Development of the proposed project has the potential to disturb paleontological resources and archaeological resources as they have been determined to be present on the subject property. Notice of the proposal was submitted to the California Archeological Inventory at Sonoma State University who indicates that the project site contains a known archaeological site (CA-LAK-215) that includes obsidian flakes and tools, worked bone, shell, ochre, and human bone. The Inventory recommends that an archaeologist assess potential impacts to the site and provide specific treatment recommendations.

The Inventory also notes that a previous site study (Study #S-11383, Mikkelsen and White, 1989) identified one or more historical resources and recommends that a qualified archaeologist assess the status of the site and provided specific recommendations. The Inventory noted that their review is based on scientific information and also recommended that the applicant contact the local Native American tribes regarding traditional, cultural and religious values. With the following mitigation measures, potential impacts to cultural resource can be addressed:

Mitigation Measures – Cultural Resources

2. The applicant/owner/developer shall retain a registered archaeologist who shall perform a walk-over survey and prepare a study and mitigation plan. Said study shall be submitted to the City of Lakeport for review and approval prior to issuance of the first Building Permit associated with the Parcel Map. All recommendations/ mitigation measures set forth in the archaeologist’s report shall be implemented by the developer. Applicant/owner/developer shall immediately cease all development activities in the event that archeological, paleontological or cultural resources are uncovered during the development of the site. If such resources are discovered, a detailed study and mitigation plan shall be prepared by a registered archeologist and implemented by the developer prior to the commencement of construction.
3. If such resources are discovered, the applicant/owner/developer shall contact the local Native American tribes and hiring a Tribal Cultural Monitor, so that artifacts and remains can be dealt with in a traditional and respectful manner.

VI. GEOLOGY AND SOILS:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

The proposed development of the parcel map, as well as the construction of three residential units and a commercial building, as well as related utilities will result in some disruption, displacement, compaction, and over-covering of the soils on the subject site. There may also be changes in topography and the existing ground surface features.

Response VI a.i-iii): The proposed project area may expose people or structures to potential substantial adverse effects, including strong seismic ground shaking, seismic related ground failure, landslides, and related geologic impacts.

According to Chapter 6 – Safety Element – of the Lakeport General Plan (page VI-3), Lakeport is located in a highly-active earthquake area, and there exists the potential for a significant earthquake event in the future. There are known active faults in the vicinity of Lakeport, including the San Andreas Fault and the Healdsburg Fault. Both of these faults have been responsible for moderate to major earthquakes in the past. The maximum earthquake magnitudes which have been recorded to date are 8.5 on the San Andreas Fault and 6.75 for the Healdsburg Fault. Other faults in the vicinity are the Big Valley Fault adjacent to the eastern City boundaries, the Rogers Creek Fault in Sonoma County, and several smaller faults in the Cobb Mountain and Hopland Grade areas (Mayacamas). It is important to note that the subject property lies to the south of the Fault Rupture Study Zone detailed on Map VI-1 of the City's General Plan.

Response VI a.iv): The subject property has a slightly varied topography. City topographical data indicates the ground surface of the subject property has a high point of 1,334 feet above sea level in the southwest portion of the parcel and a low point of 1,328 feet above sea level near the southeast property corner. The majority of the site has a relatively flat terrain.

Response VI b): It is important to note that the development of the former RV park project required the modification of the site's ground surface features including the dredging of the lagoon and the depositing of soils on the remainder of the site.

The applicant has submitted a Geotechnical and Geological Feasibility Report prepared by a licensed geotechnical engineer – Neil Thompsen. A copy of this report dated June 12, 2002 is included in the Community Development Department's file and incorporated herein by reference.

Response VI c): The report notes that the site is relatively flat and that very little grading will be required. The report describes the types of soils present on the site and also addresses the site's seismic conditions, slope stability, and presence of uncompacted fill.

Response VI d): The report indicates that the site's geological hazards are relatively common and can be mitigated using "well known and commonly used" construction techniques. "Extraordinary and extremely expensive methods to mitigate the existing geological hazards" will not be required for the subject property according to the submitted report.

The report's conclusion describes three different geological hazards. The primary hazard is the potential for seismic shaking during an earthquake. The report indicates that it is reasonable to assume that during the life of the proposed structures, the site will be subject to at least one moderate to severe earthquake that will cause strong ground shaking. According to the report, the best way to mitigate this potential hazard is to build structures with wood framing in accordance with the latest building code. The second geological hazard is the moderate to high shrink-swell potential of the clay soil and fill at the site. The report indicates that this hazard can be easily mitigated by controlling surface drainage around structures and employing proper foundation design and construction.

The third geological hazard is the potential for differential settlement of the underlying relatively soft soil and the uncompacted fill. The report indicates that differential settlement is possible, especially if large building loads are imposed on the soil. The report indicates that deep excavations are not practical in these situations and that pile foundations are often used to support buildings. The report states that this issue "will need to be evaluated during the detailed geotechnical engineering investigation of the site." If it is determined that differential settlement is possible, "then a deep foundation design will be needed to prevent settlement of structures."

The Mitigation Measures include recommendations from the Geotechnical and Geological Feasibility Report.

Response VI e): Development of the proposed project will not result in or expose people to potential hazards involving landslides, substantial soil erosion or the loss of topsoil. Adequacy of the site's soils to support septic tanks or other alternative waste water disposal systems is not applicable as the City's sewer system will serve the project.

Mitigation Measures – Geology and Soils

4. The applicant/owner/developer shall submit a detailed soils report which addresses potential geologic-related impacts prior to the issuance of building permit(s). Recommendations set forth in the soils report shall be reflected in the construction plans for the proposed structures and site improvements. The applicant/owner/developer shall submit a final grading plan prepared and stamped by an engineer prior to the issuance of building permit(s). All grading and geotechnical mitigation measures as set forth in the Geotechnical and Geological Feasibility Report for the Victorian Village Development prepared by Thomsen Consulting Engineers dated June 12, 2002 shall be complied with.

5. The applicant/owner/developer shall employ construction methods that will eliminate or minimize geologic-related impacts related to erosion and unstable soil conditions. All exposed slopes shall be revegetated in a timely manner. Surface drainage shall be designed so as to minimize gullying and other erosion impacts.

VII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous				X

materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Response VII a-d): The proposed parcel map and subsequent construction of three residential dwellings and one commercial building does not appear to have the potential to create significant hazard to the public related to the routine transport, use, or disposal of hazardous materials. There also does not appear to be a significant hazard related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The proposed project does not propose to emit hazardous emissions or handle hazardous or acutely hazardous materials within one-quarter mile of an existing or proposed school. The proposed project is not located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code section 65962.5.

Response VII e-f): The proposed project is not located within an airport land use plan nor within two miles of an airport or public use airport which would result in a safety hazard for people residing or working in the project area. The project is not in the vicinity of a private airstrip which would result in a safety hazard for people working or residing in the project area.

Response VII g): The proposed project would not appear to impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

Response VII h): The proposed project does have the potential to expose people or structures to a significant risk of loss, injury, or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed wildlands.

VIII. HYDROLOGY AND WATER QUALITY:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flood on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?				X

Response VIII a-c): The proposed development of three residential units and one commercial building and related driveways, roadways and other impervious surfaces will result in the changes in absorption rates, drainage patterns, and/or the rate and amount of surface water runoff generated from the subject property. There will be no significant increase in the amount of storm water runoff generated at this site, from what has historically taken place on the property. The project site is located within the 17.8 acre Todd Road Drainage Basin according to City records.

Any impact associated with new impervious surfaces with this project will be mitigated by the payment of the City's standard storm drainage mitigation fee (\$0.10 per square foot of new impervious surfaces). Payment of this fee will be required prior to the issuance of a building permit.

Construction of the project is not expected to violate any water quality standards or waste discharge requirements; substantially deplete groundwater supplies or interfere substantially with groundwater recharge; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; otherwise substantially degrade water quality; or expose people or structures to a significant risk of loss, injury or death involving inundation by tsunami or mudflow.

Response VIII d-e): An important issue related to storm drainage is the fact that the storm water runoff generated at this site will be directed into the site's lagoon which is essentially an extension of Clear Lake. Storm water runoff generated from streets, parking areas and driveways contains a variety of automobile-related toxins which could alter the quality of the surface water of Clear Lake if discharged directly into the lake. As has been required with other projects of this nature, staff recommends that an adequate number of oil/sediment interceptors be provided as part of the on-site drainage system in order to minimize these potential impacts. A low-cost filter type oil/sediment interceptor will be sufficient provided it is maintained in the future.

Staff has reviewed the City's Storm Drainage Master Plan appears to indicate that a 72" diameter pipe is necessary in the vicinity of the subject property to accommodate the storm water flows generated by the Todd Road Drainage Basin. A 36" line currently exists at the present time. However, the development of the proposed project will not add to the storm water flows carried in the existing 36" pipe. The storm water generated from the subject property will

be conveyed to the lagoon area via a separate set of pipes. The project as proposed would include a ten foot easement along the northern property line to accommodate any future drainage improvements.

Response VIII f): The size and scope of this project would not degrade water quality.

Response VIII g-i): The ground surface elevation in the eastern portion of the subject property lies below the 100-year flood level. Construction activities in these areas will be required to comply with the City’s Flood Damage Prevention Ordinance in order to eliminate the potential exposure of residents to flood-related hazards.

Response VIII j): Although the subject property lies to the south of the seiche inundation study zone shown on Map VI-4 of the General Plan’s Safety Element, the proximity of the site to Clear Lake means that residents of the proposed residential project could be exposed to seiche-related impacts. However, this is not considered to be a significant impact based on past history of development near the Clear Lake shoreline.

IX. LAND USE AND PLANNING:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Response IX a-c): The project involves General Plan Amendments and Rezoning of APN 05-038-33 and 34, and a parcel map to develop four separate parcels. Three parcels will be developed with single family residences and one parcel fronting South Main Street would have the potential of being developed with a commercial building. The original development “Victorian Village” included 93-condominium residential units, of which only 14-units were developed (Phase 1), leaving two separate properties. The first property is 0.70 acres in size, fronting South Main Street and northwest of Phase 1. The second property is 5.41 acres in size, located behind Phase 1. The project as proposed includes subdividing the rear property into three single family residential parcels, and creating a legal lot of record for the property along South Main Street for future Commercial use.

The subject property is designated Resort Residential according to the City of Lakeport General Plan Land Use Map and is zoned R-5 PD Resort Residential/Planned Development according to the City's zoning map. The project includes changing the General Plan Designation of the property from Resort Residential to Major Retail for the property fronting South Main Street, and Residential for the property in the rear. The project includes rezoning the property from R-5 PD, Resort Residential/Planned Development to C-2, Major Retail for the property along South Main Street and from R-5 PD Resort Residential/Planned Development to R-1, Single Family Residential for the property in the rear. With the proposed changes to the General Plan and Zoning the property is in conformance with the City's Land Use Plan and will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. There are no applicable habitat conservation plans or natural community conservation plans in place at the present time. The project would be consistent with the changes to the General Plan designation and the zoning. In addition, the land use changes reflect similar uses in the immediate area, such as Major Retail land use along South Main Street.

The project as proposed reflects a large reduction of residential units from what was originally approved on the property with the "Victorian Village" development. That subdivision created 93 developable residential parcels on 6.78 acres of land. Only 14 of those parcels have been developed or in the process of being developed. Following the 2008 recession, condominium development of this nature has not been in demand and funding to develop these types of projects are not being funded. The 12 residential lots on the parcel fronting South Main Street would be converted to commercial use. The remaining 67 residential lots in the rear of the property would be replaced by 3 residential lots. The density of the 5.41-acre remainder property in rear of the property in accordance with the City's General Plan, would be allow as many as 39 units according to the General Plan's density standards. The density of the proposed project is approximately .55 dwelling units per acre. Upon sale of any of the three properties, the new owner could further subdivide the property. Staff has evaluated the proposed parcel one for a future four lot subdivision, if the opportunity arises.

Another planning-related issue is that due to the nature of the proposed construction, State law requires the building plans to be prepared by a licensed architect/civil engineer.

X. MINERAL RESOURCES:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Response X a-b): No impact anticipated. The proposed project will not result in the loss of availability of known mineral resources that would be of value to the region and the residents of the State, nor would it result in the loss of availability of locally-important mineral resources recovery sites delineated on the City's General Plan.

XI. NOISE:

Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Response XI a-d): The project would not appear to expose persons to, or cause generation of excessive ground-borne vibration or ground-borne noise levels, nor result in a substantial permanent increase in ambient noise levels in the project vicinity. The expected noise levels are those normally associated with typical single family residential development.

The proposed project will result in an increase in existing noise levels in the project area but will not expose people to severe noise levels. The expected slight increase will be due to the construction and occupation of three new residential units. There may be some noise impacts associated with the future construction and use of the commercial building along South Main Street.

Residents of the adjoining development will experience a slight increase in noise levels. However, the typical residential activities that are expected to take place within the proposed condominium development will not expose area residents to continuously excessive noise levels. Excessive noise in residential areas is defined in Section 17.28.010 of the Municipal Code as noise or other sound emissions which exceed 60 dBA for any 15-minute period in any one-hour period, while commercial areas are limited to not exceed 70 dBA for any 15-minute period in any one-hour period.

The temporary construction activities associated with the development of the proposed project will be subject to the noise guidelines set forth in Chapter 17.28 of the Lakeport Municipal Code. With the development of the project, subject to the City’s noise guidelines, would mitigate the potential noise impacts associated with this project.

Response XI e), f): The subject site is not located within an airport land use plan nor in the vicinity of a private airstrip which would generate substantial noise impacts.

XII. POPULATION AND HOUSING:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Response XII a -c): No significant impact anticipated. The proposal will not induce substantial population growth in the Lakeport area, either or indirectly; displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or displace

substantial numbers of people, necessitating the construction of replacement housing elsewhere.

The 3 proposed residences will have either two or three bedrooms according to the submitted information. Recent data (January 2002) prepared by the State of California Department of Finance indicates that an average of 2.425 people occupy each household in Lakeport. Based on this figure, approximately 7 people can be expected to reside at the project, and would not reflect a major change to the population of Lakeport.

XIII. PUBLIC SERVICES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Response XIII a): The proposed subdivision and construction of the 3 residential units and a potential for a commercial building will not result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, need for new or physically-altered governmental facilities, the construction of which would not cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

Fire protection: The Lakeport County Fire Protection District review the proposed project and did not identify any issues associated with the proposed project.

Police protection: The City of Lakeport Chief of Police reviewed the proposed project and did not identify any issues associated with the proposed project.

Schools: The size and scope of the proposed project, with three residential dwellings, would not have a significant impact on the Lakeport Unified School District.

The Lakeport Unified School District Board of Trustees has adopted a school impact fee resolution in accordance with State law. This resolution currently requires the builder of commercial buildings pay a fee of \$0.49 per square foot and residential structures to pay a fee of \$2.97 per square foot of living area to the School District to mitigate the impacts to the schools.

Parks: The proposed project will not create a need for new or physically-altered park facilities, the construction of three residential dwellings would not cause significant environmental impacts. Potential impacts to the City’s existing park system are addressed in the Recreation section of this report.

XIV. RECREATION:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Response XIV a-b): Development of the proposed project does not have the potential to significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of a facility could occur or be accelerated. The City of Lakeport has a limited number of park facilities, and the addition of 3 dwelling units and approximately 7 new residents, would not have an impact on existing facilities within the community.

The Lakeport General Plan calls for the acquisition and development of 75 acres of parkland by the year 2020 (5 acres of developed parkland per 1,000 residents). When the General Plan was adopted in 1992, the ratio was 1.94 acres of parkland to 1,000 residents. With the development of the Westside Community Park - Phase One Improvements, expansion of park facilities is underway.

The City has determined that all subdivision projects will lead to an increased demand for parks or other recreational facilities. Municipal Code Section 16.16.040 E. indicates that the subdivider is required pay a fee in lieu of dedication if the proposed subdivision contains less than fifty (50) parcels and sets forth the applicable criteria.

The fees paid are to be used for special, community, and neighborhood parks and related facilities in such a manner that the locations of such facilities bear a reasonable relationship to their use by the future inhabitants of the newly created subdivision.

XV. TRANSPORTATION/TRAFFIC:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Response XV a-b): According to the Institute of Transportation Engineers Trip Generation Manual (6th Edition), a typical condominium/townhouse dwelling generates an average weekday vehicle trip end per unit of 10.00. This is the total of all trip endings plus all trips leaving a dwelling. Based on 3 new dwelling units at ultimate build-out, this project will add approximately 30 trips to the surrounding street system. The trips generated by the commercial property would be difficult to calculate at this time since traffic numbers are calculated by type of use and

square footage of the structure. Any proposal for the development of the commercial property would require the traffic analysis to determine the potential impacts at that time. However, due to the small size of the commercial property, it can generally be estimated that the commercial use would not generate a high number of vehicle trips that would have an impact on the surrounding roadways.

The subject property has been operated as an RV park for several years. However, it is clear that the RV park never generated substantial amounts of traffic. The development of the proposed project will result in a generation of weekday vehicle trips that would not represent a significant increase from the previous use as an RV park.

Response XV c): The size and scope of this project will not result in a change in air traffic patterns through an increase in traffic levels or a change in location, which will result in a substantial safety risk to any airport.

Response XV d): The traffic generated by the project will not have a significant impact on the operation of South Main Street or on the operation of the intersection of South Main Street and Peckham Court. The project would not increase hazards due to roadway design features or incompatible circulation uses.

Response XV e-f): The size and scope of the project as proposed would not result in inadequate emergency access or inadequate parking capacity.

Response XV g): The proposed project would not impact adopted policies, plans, or programs supporting alternative transportation. The size and the scope of project would not warrant a bus stop or bike racks.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant			X	

environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Response XVI a-e): The proposed development of 3 new dwelling units and future commercial structure will not exceed the wastewater treatment requirements of the Central Valley Regional Water Quality Control Board. Sewage generated from the project will flow to the City’s sewage treatment plant in south Lakeport and the treatment plant has adequate capacity for the proposed project. As such, the project will not require or result in the expansion of existing facilities.

Development of the proposed project will not require or result in the construction of new storm water drainage facilities or an expansion of existing facilities. The applicant proposes no modifications to the existing storm water drainage system at this time. As stated in the Hydrology and Water Quality section of this report, the project would provide a 10-foot easement along the northern property line, that accommodate any expansion of storm water drain facilities required in the future.

The proposed development of 3 new dwelling units and future commercial structure will not exceed the domestic water supplies or require expansion of existing City water system. Water entitlements are issued on a building permit basis, on a first-come - first-served basis.

Response XVI f-g): The project will be served by the Eastlake Landfill which has sufficient permitted capacity to accommodate the project’s solid waste disposal needs. The project is expected to comply with federal, state, and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE -

	Potentially Significant Impact	Less Than Significant with	Less Than Significant Impact	No Impact
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		Mitigation Incorporation		
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?			X	
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Response XVII a) – d): Based on the findings set forth in the Initial Study, the proposed general plan amendments, rezoning and parcel map does not have the potential to adversely impact the environment unless mitigation measures are incorporated into the project approval. The potentially significant effects identified herein are related to air quality, cultural resources, and geology/soils. Staff has developed/recommended conditions that will mitigate the impacts to a less than significant level. The potential environmental impacts identified in the Initial Study are ***less than significant with mitigation measures incorporated*** .

