



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

Item 4a
2:00 PM
April 30, 2:025

STAFF REPORT

TO: Zoning Administrator

FROM: Prepared by: Laura Hall, Senior Planner

DATE: June 4, 2025

SUBJECT: Consideration of Design Review Permit (PL-25-23; DR 23-03); Mitigated Negative Declaration (IS 23-08) Belwood Motel for construction of a short-stay motel located at 10336 Loch Lomond Road, Middletown (APN: 011-067-18). Applicant: Belwood Investments LLC

ATTACHMENTS:

1. Site Plans
2. Draft Conditions of Approval
3. Recirculated Draft Initial Study / Mitigated Negative Declaration
4. Agency Comments
5. Public Comments

EXECUTIVE SUMMARY

Belwood Investments, LLC is proposing a short-stay motel with six 800 sq. ft. cabins, two units each, plus 11 parking spaces with one Americans with Disabilities Act (ADA) space (12 total), and a new trash enclosure. Cabins will be accessed from walking paths and the site would be enclosed on three sides with a 6-foot wooden fence. Access to the site would come from Loch Lomond Road. The site is part of the Loch Lomond Lodge today includes the Market & Deli with two additional attached buildings that support a gift shop, fitness studio, and an eatery.

POINTS OF INTEREST

An Initial Study and Mitigated Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act (CEQA). The 30-day review period for the original environmental document (IS 23-10) was May 21, 2024, to June 20, 2024 (SCH¹ 2024050605). However, during the public review period, Code and CEQA violations occurred on the property requiring a recirculation of the mitigated negative declaration (MND) under the California Environmental Quality Act (CEQA) Guidelines Section 15074.5. The 30-day public review period was February 3, 2025, to March 6, 2025. Additional comments were received by the Lake County Public Works Department and a neighbor which have been added to the Conditions of Approval (Attachment 2). The Recirculated Mitigation Negative Declaration is available at the State Clearinghouse

¹ SHC is State Clearinghouse

by searching the SCH 2024050605 at: <https://ceqanet.opr.ca.gov/> and is also attached to this staff report (Attachment 3).

On June 14, 2024, the Lake County Grading and Stormwater Inspector opened an investigation, and a site visit was conducted on June 18, 2024. Both Code and CEQA violations occurred that included grading, removal of trees, and construction of a fence. A Stop Work Order was posted on the site by the Lake County Stormwater and Grading Inspector on July 2, 2024, citing the Lake County Code Chapter 30-Grading Ordinance Sections 30-46.1 and 30-46.2, and in violation with Chapter 13, Article 1, Section 3.1(e)(5). As required to clear the Code violations reported on June 10, 2024, the applicant completed the Correction Action Plan prepared by the Grading and Stormwater inspector. A Violation Clearance Post Corrective Action Plan Inspection was completed by the Grading and Inspector Stormwater on July 16, 2024, and the Code violations were cleared.

PROJECT DESCRIPTION

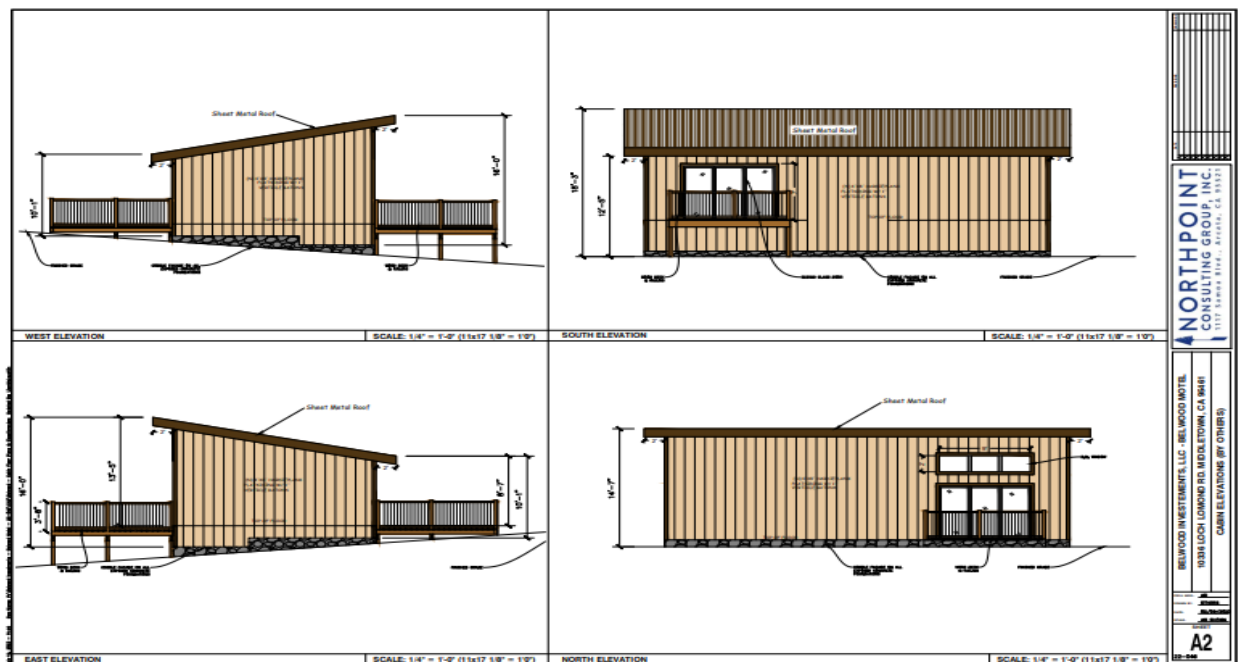
<u>Project Title:</u>	Belwood Motel
<u>Project Numbers:</u>	PL-25-23; DR 23-03, IS 23-08
<u>Applicant Name & Address:</u>	Belwood Investments LLC 2330 E Bidwell St., Ste 170A, Folsom, CA 95630
<u>Property Owner:</u>	Belwood Investments LLC
<u>Project Location:</u>	10336 Loch Lomond Road, Middletown, CA
<u>Parcel Number(s) (APN):</u>	011-067-18
<u>Parcel Size:</u>	±2.13 Acres
<u>General Plan:</u>	Community Commercial Cc
<u>Zoning:</u>	“C2” Community Commercial - “DR” Design Review
<u>Flood Zone:</u>	D-Areas with possible but undetermined flood hazards. No flood hazard analysis has been conducted. Flood insurance rates are commensurate with the uncertainty of the flood risk.
<u>Fire Protection:</u>	South Lake County Fire Protection District
<u>Fire Severity:</u>	SRA ² Very High Fire Risk Area

² State Responsibility Area

Project Description

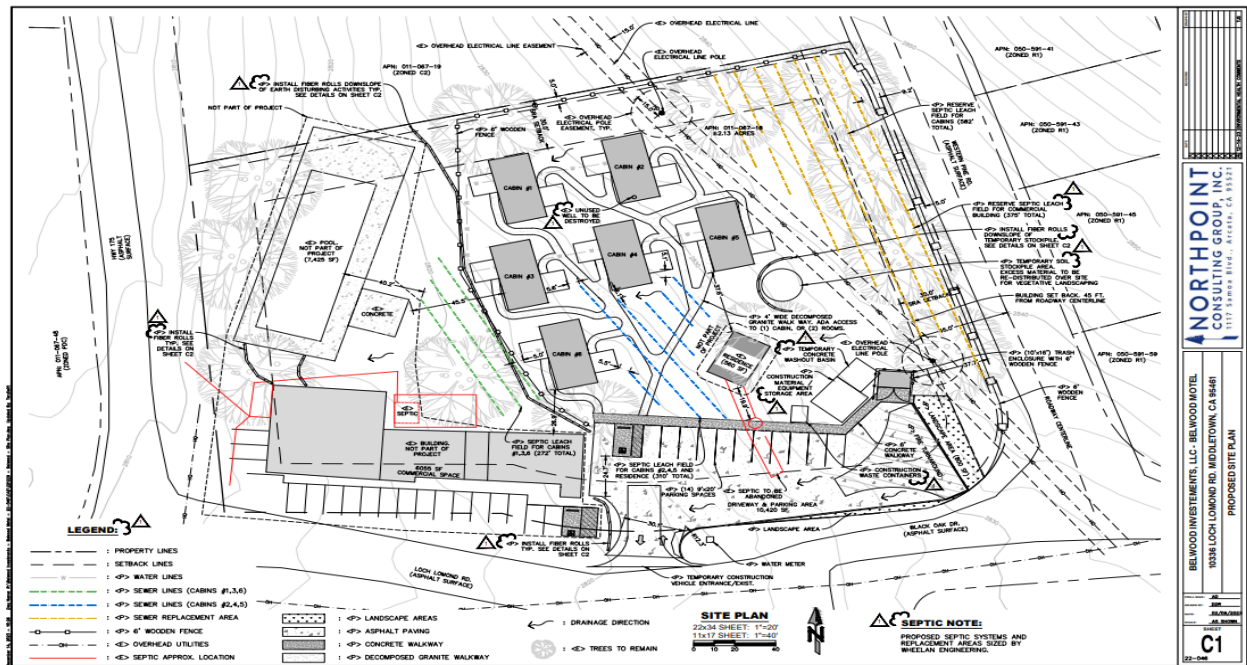
The proposed project includes construction and operation of a short-stay motel with six 800 sq. ft cabins, two units each, plus 11 parking spaces with one ADU space (12 total), and a new trash enclosure. Cabins will be accessed from walking paths and the site would be enclosed on three sides with a 6-foot wooden fence. Access to the site would come from Loch Lomond Road. Ground-moving activities would include the following activities: preparing cabin pads, developing driveway and parking, pathways, and landscaping, digging post holes, and removing four ponderosa pine trees. There is an existing Olympic-sized swimming pool which has been leased out for many years which is not part of the proposed project. The proposed 6-foot fence will provide a safety barrier between the cabins and the pool. Other existing structures that are called out on the site plans as 'not part of the project' include the Loch Lomond Market & Deli and other businesses, as well as a significant historical cabin from the 1930s to 1940s. Figure 1 includes the cabin elevations and color, and Figure 2 includes the site plan.

Figure 1: Cabin Elevations and Color



Source: Belwood Investments LLC., 2024.

Figure 2: Site Plan



Source: Belwood Investments LLC, 2024.

Construction Details

Construction activities are estimated to take three to four months. Activities would occur six days per week from 7:00 a.m. to 6:00 p.m. Up to six workers would be required during the construction period. The following equipment is expected to be required to construct the proposed project facilities:

- Medium weight excavator, backhoe, and skid steers (wheeled and/or tracked)
- Paving and concrete pouring equipment, steam roller and compaction equipment (wheeled)
- Auger, posthole digger
- General hand tools and foot labor
- Dump truck, tractor-trailer delivery truck, forklift, boom lift crane (wheeled)

All equipment would be delivered to the site on tractor trailers. Construction equipment would be operated by licensed and insured equipment operators. Equipment would be utilized within the designated onsite construction zone. Construction material and equipment storage areas would be located next to a temporary concrete washout basin near the enclosure with the 6-foot wooden fence. The site would be cleared and prepared for initial construction with light to medium tractor equipment. Building sites would be staked out and prepared for building construction utilizing light to medium equipment and general ground crew/foot laborers. Larger building materials are to be delivered to each building site via forklifts/boom cranes. Post footings for the cabins would be augured with medium equipment or hand tools, depending on underlaying soil conditions. Concrete footings are to be poured utilizing light concrete pouring equipment (concrete mixing truck) or hand mixing tools, depending on building site access. Post holes will be

dug/augured for the support post for each cabin. Up to 12 post holes per cabin. Development would occur outside of the existing Pacific Gas and Electric (PG&E) easement. Attachment 2 provides the layout of the site.

Construction and erection of cabins would include utilizing general ground crews, with the assistance of forklifts and boom cranes. Ground crews would utilize general hand tools comprised but not limited to pneumatic (air) tools, electrically powered hand tools, non-powered hand tools. Access walkways would be constructed utilizing light skid steers and finished with ground crews and hand tools. The parking area is to be graded utilizing medium tractor equipment, smoothed and compacted with medium to light steam rollers and compaction equipment. Concrete curbs, gutters and walkways are to be formed by hand and concrete is to be poured utilizing standard concrete mixing truck and/or by hand. Asphalt is to be delivered to the site via hot asphalt delivery truck(s) and spread-out utilizing ground crew. Site finish work and final landscaping is to be completed utilizing ground crew and hand tools. A 6-foot-tall wooden fence will enclose the Belwood Motel on three sides. Table 1 includes the estimated ground disturbance including the total square footage and cubic yards of grading, and cubic yards of imported materials.

Table 1: Estimated Cubic Yards of Grading and Importation of Materials

<u>Grading (sq. ft.)</u>	<u>Grading (cu. yds.)</u>	<u>Import of Materials (cu. yds.)</u>
<u>grading for cabins foundations 4,800 sq ft</u>	<u>±40 cu yd.</u>	<u>concrete ±40 cu. yd.</u>
<u>grading for parking area ±10,421 sq ft</u>	<u>±250 cu yd</u>	<u>aggregate base ±250 cu yd</u> <u>asphalt ±96 cu yd</u>
<u>grading for landscaping ±1,045 sq ft</u>	<u>±13 cu yd</u>	<u>-</u>
<u>walkways/ADA parking ±1,237 sq ft</u>	<u>±75 cu yd</u>	<u>aggregate base ±30 cu yd</u> <u>concrete for ADA parking ±22 cu yd</u> <u>decomposed Granite for walkways ±34 cu yd</u>
<u>septic ±4,611 sq ft</u>	<u>512 cu yd</u>	<u>-</u>
<u>22,114</u>	<u>1310</u>	<u>244</u>

Source: Northpoint Consulting Group, Inc., 2023.

Note: sq. ft. (square feet), cu. yds. (cubic yards).

Staging Area

The construction staging zone is to be located onsite in an appropriate location where it will not impede the surrounding area or result in a significant impact to the community or natural resources. Figure 1 includes the site plan that shows where the staging area would be located.

Operations

At full occupancy, the project is anticipated to have up to 12 vehicles per day (two vehicles per cabin). Occupancy would average between 70% and 80% annually given regular occupancy rates for existing Lake County motels. However, this CEQA analysis accounts for the motel being 100% occupied. The owner has a local on-call handyman that would take care of maintenance including landscaping and any repairs to the cabins.

The cabins will rely on 'grid power' from Pacific Gas & Electric (PG&E). Each cabin is projected to need 100 to 200 amps per cabin excluding the existing dwelling and restaurant / coffee shop located on site, which is already served by on-grid power. The project is expected to require between 600 and 1,200 additional amps. Following project approval, an electrical upgrade building permit will be applied for with the Building Safety Division. There are no known grid capacity issues in this area, and PG&E was notified of this action, and the County received no adverse comments regarding the project.

Water Usage

The site is served by Loch Lomond Mutual Water Company, and there are no anticipated issues with this project connecting further to the water purveyor's system. A Will Serve Letter was received for the project. Each cabin contains two separated rooms with each room having a sink, water closet and shower. An average of four people could potentially use each cabin. Each cabin contains two separate units with each room having a sink, water closet and shower. An average of four people could potentially use each cabin. CalEEMod defaults were applied for water amounts which included 304,401.24 gallons for annual indoor water use, and 33,822.36 gallons for outdoor water use (CalEEMod, 2020). The County has received a copy of the Will Serve Letter from the applicant.

Solid Waste Management

CalEEMod was used for the project to calculate construction air quality. Defaults from the model for solid waste were applied to the proposed project. According to the model, the motel (12 units) would produce 6.57 tons of solid waste per year (ICF, 2020). The site plan shows a trash dumpster enclosure near the proposed fire turnaround. The site would be served by C&S Waste Solutions. Servicing would likely occur weekly or biweekly. All solid waste, except for that which is recycled, eventually is relocated to the Eastlake Sanitary Landfill. The landfill's remaining capacity is 2,859,962 tons and the cease to operate date is December 31, 2043³.

Wastewater Management

A new onsite wastewater treatment system (septic system) will be installed. Approximately 272 linear feet of primary leach lines will be installed for cabins #1, #3, and

³ CalRecycle. 2024. SWIS Facility/Site Activity Details. Accessed 15 March 2024 at <<https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3787?siteID=930>>.

#6, and 310 linear feet of primary leach lines will be installed for cabins #2, #4, and #5 and the existing 560 sq. ft. residence (historical cabin). Approximately 582 linear feet of replacement leach field will be reserved for all proposed cabins and exiting 560 sq. ft. residence (historical cabin). Approximately 375 linear feet of replacement leach field will be reserved for existing commercial buildings as well. The existing septic where the parking lot is being proposed will be abandoned.

Stormwater Management

Stormwater runoff would be generated from the six cabins and other non-permeable surfaces. The project is outside of Municipal Separate Storm Sewer System (MS4) and the community growth boundaries. Excess stormwater will be mitigated and conveyed via rock-lined swales and the utilization of self-retaining landscape areas. The applicant has submitted engineered Erosion Control Plan that includes best management practices for erosion control (Attachment 2).

PROJECT SETTING

Surrounding zoning and land uses are as follows:

North: Split Zoning “R1” Single-Family Residential-“SC” Scenic Combining and “C2” Community Commercial. Vacant land.

East: “R1” Single-Family Residential. Single-family residents and vacant land.

West: “PDC” Planned Development Commercial. Vacant land.

South: “C2” Community Commercial - “DR” Design Review. South Lake County Fire Protection District and Loch Lomond Fire Station.

Figure 4: Zoning Map



Source: Lake County, 2024.

PROJECT ANALYSIS

General Plan Conformity

The General Plan designation for the subject site is Local Commercial C2. The purpose of this land use category is to establish areas for small, localized retail, recreational, and service businesses which provide goods and merchandise to the immediate surrounding residents. The following policies apply to this project:

Chapter 3 - Land Use

Goal LU-1: To encourage the overall economic and social growth of the County while maintaining its quality-of-life standards.

- Policy LU-1.3 Prevent Incompatible Uses: The County shall prevent the intrusion of new incompatible land uses into existing community areas.

Response: Motels are a permitted use in the Community Commercial C2 zoning district. Historically, this is the site of the Loch Lomond Lodge which dates to the 1940s. According to the Cultural Resource Evaluation completed on August 4, 2022, in 1958 Loch Lomond had 50 homes and many vacation cabins with one of the cabins still existing on the project site. In addition, the "J" Lodge Event Center is located across the street and was approved a few years ago. Therefore, this would be a compatible use with what was historically and is currently on the site, and with other surrounding land uses.

Goal LU-4: To maintain economic vitality and promote the development of commercial uses that are compatible with surrounding land uses and meet the present and future needs of Lake County residents, the regional community, and visitors.

- Policy LU-4.2: Travel-Related Commercial Uses: The County shall locate commercial designations for travel-related commercial services, such as gasoline service stations, food and beverage sales, eating and drinking establishments, and lodging, along major collectors (within ¼-mile from intersections), State Highways (within ¼-mile from interchanges) and in resort areas as identified in the Land Use Plan.

Response: The Loch Lomond Lodge attracts travelers locally and those traveling through the area who stop to shop, eat at the restaurant or deli, or to enjoy the views. The motel would offer short-term lodging for travelers. Access to the site is from Loch Lomond Road, which is accessed from State Highway 175. State Highway 175 is a well-traveled road.

Middletown Area Plan

The following Middletown Area Plan objectives and policies apply to the project.

Objective 3.2.1: Maintain and ensure there are adequate water resources for sustainable long-term beneficial uses within the Middletown Planning Area.

- Policy 3.2.1a: New development should be designed to conserve water through the use of drought resistant vegetation, low flow plumbing fixtures.

Response: Mitigation would require the applicant to install a drip irrigation system or in-ground sprinkler system. If all plant materials are indigenous or drought resistant, a temporary or portable irrigation system may be provided. Mitigation would also require the applicant to install low flow toilets and sinks in all the cabins.

Objective 3.7.2: Protect and enhance scenic resources, promote a visually appealing environment and maintain the rural character of the Planning Area.

- Policy 3.7.2a: Protect the natural scenery along scenic highways and roads from new development that would diminish the aesthetic value of the scenic corridor.

The motel has been designed to comply with the Middletown Area Plan (Plan) design standards. The project will utilize colors recommended in the Plan, and the proposed use will align with the surrounding uses. Mitigation incorporated into the project would also require that the applicant to maintain the wooden fence throughout the life of the project.

Zoning Ordinance Conformance

Article 19: Local Commercial “C2”

The project site has a zoning designation of “C2” Community Commercial – “DR” Design Review. Under Article 19, Section 21-19, subsection 19.3 the following community commercial uses are permitted:

- When conducted within a completely enclosed building, when open to the public between the hours of 6:00 a.m. and 12:00 a.m.; when without drive-thru facilities; and when not exceeding a maximum of five thousand (5,000) square feet of gross floor area per use or ten thousand (10,000) square feet of total gross floor area:
 - (k) Hotels and motels when not exceeding a maximum of fifteen (15) dwelling units. (Ord. No. 2172, 8/12/1993)

Response: The proposed motel would not exceed the 15 dwelling unit limit so will comply with the requirements of Article 19 from the Lake County Code, Zoning Ordinance.

Article 54 Design Review “DR”

The project site has an overlay zoning designation of “DR” which requires all uses of land shall comply with the regulations of the base zoning district and with the additional regulations of “DR” combining district. Article 54 includes requirements for obtaining a Design Review Permit which includes, but not be limited to, a review of the following:

- Traffic and circulation, building arrangement, setbacks, walls and fences, noise emissions and control measures, off-street parking, physical design, building exteriors, architectural design, grading, drainage, landscaping, lighting, signs, public services and utilities, community design criteria, development and performance standards and the interrelationships of these elements.

Response: Design standards have been built into the project as shown and noted in the project plans (Attachment 1). In addition, both mitigation measures and conditions of approval have been incorporated into the project that addresses all of the applicable topics listed above for a Design Review Permit.

Article 41: Performance Standards

The following standards potentially apply to new construction in the Community Commercial "C2" District.

Section 41.3: Exceptions:

- Does not have potential to significantly impact the environment; or,
- Does not have potential to create substantial public controversy; or,
- Does not have potential to injure public health, safety or welfare.

Response: Please refer to the Violation Background section on page 1 of this staff report. Although the applicant did move forward with grading and tree removal, and fence construction before the CEQA document public hearing period was complete, following a site visit the County issued a Correction Action Plan which required applying best management practices for addressing soil erosion, and the over-height fence would need to be corrected. A Violation Clearance Post Corrective Action Plan Inspection was completed by the Grading and Stormwater Inspector on July 16, 2024, and the violation was cleared. To address the CEQA violations, additional mitigation measures were incorporated into the project, and the CEQA document was recirculated. Future proposed project construction activities would comply with all mitigation measures and conditions of approval (Attachments 2 and 3).

Section 41.4, Air Quality.

Response: Criteria air pollutants and greenhouse gas emissions would be generated during construction and operations. Air pollution during operations would be minimal coming from automobiles traveling to the site. According to the Governor's Research and Planning's Technical Advisory on Evaluation Transportation Impacts in CEQA projects with vehicles and light truck traffic of 110 trips or less would be less than significant. CalEEMod was used to calculate construction emissions, and with mitigation measures already built into the design of the project and applied to the model, impacts were reduced to less than significant.

Section 41.5, Electromagnetic Interference.

Response: This section is intended to ensure that a project will not impact on any activity outside of the project area by producing electromagnetic interference. The motel would not generate any electromagnetic interference as no transmission or receiving radio waves are proposed.

Section 41.6, Erosion Control

Response: Erosion control was addressed in the Correction Action Plan to clear the grading violation. Any additional future grading would require erosion control that is addressed in the Project Plans C3 Erosion Control Notes (Attachment 2) and in the CEQA document (Attachment 3).

Section 41.7, Fire and Explosion Hazards

Response: The project site is located within a mapped very high fire hazard severity zone. However, the South Lake County Fire Protection District and Loch Lomond Fire Station are located approximately 75 feet (across the street from the project site) and 295 feet south of the project's parcel boundary line. The project was routed to the California Department of Forestry and Fire Protection (CAL FIRE) for comments, and mitigation measures addressing both hazards and wildfire have been incorporated into the project.

Section 41.8, Glare and Heat

Response: There is a potential to create additional light assuming each cabin entrance will have a porch light, and outdoor lighting for safety. The Lake County Municipal Code Zoning Ordinance Article 56 requires that among other things, the development standards for lighting must be assessed. Under Article 41, Section 21-41, subsection 41.8, all exterior lighting accessory to any use shall be hooded, shielded or opaque.

Section 41.9, Landscaping Standards

Response: Requirements for landscaping are included in the Project Plans. In addition, mitigation has been applied that will require landscaping to include a drip irrigation system or in-ground sprinkler system. If all plant materials are indigenous or drought resident, a temporary or portable irrigation system may be provided.

Section 41.10, Liquid, Solid and Hazardous Wastes

Response: Mitigation measures have been incorporated into the project and before operations can occur sprinkler systems will need to be installed in each cabin. In addition, to meet the California Fire Code, the parking lot would need to install a hammer-head T turnaround, and the driveway will need to be surfaced to support a 40,000-pound emergency vehicle. Lastly, a 5-foot noncombustible zone would need to be maintained around each cabin during the life of the project.

Section 41.11, Noise

Response: Some noise during construction will occur, however construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday, so the likelihood of noise-related impacts is minimal and can be abated by the County based on regular noise thresholds that are standard conditions of approval for projects. Operations would include noise from vehicle traffic and other sources associated with motels. Noise levels would be the same as already on the site. Motels are an allowed use in the Community Commercial "C2" zoning district.

Section 41.12, Open and Outdoor Storage and Display

Response: Outdoor storage is not being proposed with this project.

Section 41.13, Radioactivity

Response: This project would not produce any known radioactive waves or substances.

Section 41.15, Vibrations

Response: Ground-borne vibration could be generated from heavy equipment during construction. However, construction activities would be temporary, and operations at the site would not cause ground-borne vibration.

ENVIRONMENTAL ANALYSIS

Pursuant to CEQA Guidelines § 15070, a Mitigated Negative Declaration was prepared and circulated for public review (Section 15072) which began on May 21, 2024, and was scheduled to end on June 20, 2024 (SCH 2024050605). However, due to the violation which occurred between May 21, 2024, to June 10, 2024, the CEQA document had to be recirculated. Public review of IS 23-08 began on February 4, 2025, ended March 6, 2025. Two additional comments were received from the public. One regarding the violations that occurred, and the other concerning noise from the fire siren at the nearby Loch Lomond fire station. All comments received for the project are included in Attachment 4.

The following categories were identified as having potential environmental impacts:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Tribal Cultural Resources
- Wildfire

The Initial Study and Mitigated Negative Declaration found that all impacts would be less than significant with implementation of the following mitigation measures. Attachment 2 includes the Mitigated Negative Declaration (IS 23-08).

Aesthetics. Potential environmental impacts related to Aesthetics can be mitigated to 'less than significant' levels with mitigation measures AES-1 and AES-2 added:

- AES-1: The proposed fence shall not obstruct the view of the significant historical cabin from traveler's viewpoint along Loch Lomond Road.

- AES-2: The property owner shall conduct quarterly visual inspections of the fence throughout the operational life of the project to identify any warping, cracking, deterioration, or visual defects, with findings documented through photographs and written reports maintained for the Lake County Community Development Department's review, in accordance with Lake County Article 54, Section 21-54, subsection 54.5 (a) 5. Any damaged, warped, or deteriorated fence components shall be repaired or replaced within 30 days of identification using materials that match the original in composition, dimensions, color, and finish to maintain visual compatibility with the site's architectural character, and all repair/replacement activities shall be documented and reported to the Lake County Community Development Department.

Air Quality. Potential environmental impacts related to Air Quality can be mitigated to 'less than significant' levels with mitigation measures AQ-1 to AQ-3 added:

- AQ-1: All best management practices as listed in the Construction Site Storm Water Soil Loss & Pollution Prevention Plan (SLPPP) prepared for the proposed project by the Northpoint Consulting Group, Inc. shall be applied as mitigation measures to construction activities and operations of the proposed project.
- AQ-2: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions.
- AQ-3: All Mobile diesel equipment used for construction shall be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines as well as Lake County Noise Emission Standards.

Biological Resources. Potential environmental impacts related to Biological Resources can be mitigated to 'less than significant' levels with mitigation measures BIO-1 to BIO-4 added:

- BIO-1: To avoid impacts to passerines and raptors with sensitive regulatory status or otherwise protected under the Migratory Bird Treaty Act and California Fish and Game Code, the following shall be applied: Removal of trees during the nesting season (February 1 to August 31) shall be preceded by a survey for nesting birds conducted by a qualified biologist. If nesting birds are identified, a suitable construction buffer shall be established around the nest site until either the end of the nesting season or upon determination by a qualified biologist that fledging has been completed, or that the nest has been abandoned. Trees approved for removal shall be felled outside of the nesting season.
- BIO-2: Prior to the clearing of trees, the following measures shall be implemented to mitigate potential impacts to bats: If removal of trees is proposed during the maternity roosting season (April 1 through September 15), trees with features capable of supporting roosting bats shall be surveyed for bat roosts or evidence of bat roosting (guano, urine staining and scent, dead bats) within 14 days of the start of project activities or removal of vegetation. If active roosts are discovered, removal may occur once active roosting ceases as determined by a qualified

biologist. Once felled, the tree shall remain on the ground for one day to allow any bats present to leave. It is recommended that trees approved for removal be removed outside of the roosting season.

- BIO-3: Habitat Mitigation and Monitoring Plan (HMMP). Prior to operations, the project applicant shall submit to the Community Development Department for review and approval a HMMP that identifies how the project proponent will compensate for the removal of (4) trees on the project site. The HMMP shall be comprised of habitat creation and/or habitat enhancements activities equal to twelve (12) trees or equivalent native plants and shrubs equal to the canopy cover of twelve (12) trees. The HMMP shall also include the following information:
 - a description of the existing physical conditions of the proposed creation and/or restoration site and a map that identifies the location of the site;
 - a plan for the preparation of the restoration site, including the removal of nonnative plant species, if needed;
 - a local California native plant palette;
 - a planting plan, including the species that will be planted on-site, quantity, and location;
 - monitoring and maintenance measures and a timeline;
 - an irrigation plan (if needed);
 - procedures to ensure that nonnative plants are not introduced or allowed to sustain within the creation or restoration site and a nonnative plant removal plan;
 - success standards
- BIO-4: Any proposed grading shall be conducted in a manner that prevents erosion and subsequent sedimentation of the vernal pool habitat across the highway. Any stockpiles or sources of loose soil should be removed prior to the rainy season. All work should include extensive erosion control measures consistent with Lake County Grading Regulations in order to avoid erosion and the potential for transport of sediments into Loch Lomond Vernal Pool or local drainages. Coverage under the National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges associated with a Construction Activity (General Permit) and a Storm Water Pollution Prevention Plan (SWPPP) may be required.

Cultural Resources. Cultural Resources can be mitigated to 'less than significant' levels with mitigation measures CUL-1 and CUL-4 added:

- CUL-1: The boundaries of the historically significant cabin as identified in the Cultural Resources Evaluation shall be flagged extending four feet out from the cabin and project construction and staging activities shall avoid the site areas as outlined in CEQA Guidelines Section 15064.5.
- CUL-2: All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during ground disturbance. Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall

submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training.

- CUL-3: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work.
- CUL-4: Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified archaeologist for proper interment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.

Energy. Potential environmental impacts related to Energy can be mitigated to 'less than significant' levels with mitigation measures ENG-1 and ENG-2 added:

- ENG-1: The applicant shall coordinate with PG&E for grid improvements. If grid needs are not met through PG&E, the applicant shall provide an alternative power source to the Lake County Building Department. Cabins would not be open to the public until the energy source is developed and operating.
- ENG-2: To reduce energy needs, interior and exterior security lighting shall be energy efficient LED lights with shutoff/dimmer switches.

Greenhouse Gas Emissions. Potential environmental impacts related to Greenhouse Gas Emissions can be mitigated to 'less than significant' levels with mitigation measures GHG-1 to GHG-5 added:

- GHG-1: All construction equipment shall be maintained in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and proof that it is running in proper condition shall be submitted to the Community Development Department before it is operated.
- GHG-2: Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- GHG-3: Pursuant to the Lake County Municipal Code Zoning Article 41, all landscaping shall be provided with a drip irrigation system or in-ground sprinkler system. If all plant materials are indigenous or drought resident, a temporary or portable irrigation system may be provided.
- GHG-4: All lighting in the cabins shall be high efficacy lighting All exterior lighting shall be hooded, shielded or opaque. No unobstructed beam of light shall be directed beyond any exterior lot line. Buildings and structures under construction are exempt from this provision.
- GHG-5: Low flow toilets and sinks shall be installed in all the cabins and proof of installation shall be submitted to the Community Development Department before operations can occur.

Hazards and Hazardous Materials.:

- HAZ-1: The following mitigation measures shall be incorporated into the project before operation of the project can occur:
 - Sprinkler systems will be installed in each cabin.
 - Parking lot will install a hammer-head T turnaround.
 - The driveway will be surfaced to support a 40,000-pound emergency vehicle.
 - A 5-foot noncombustible zone shall be maintained around each cabin during the life of the project. This is a new requirement under Assembly Bill 3074 for property which was enacted on January 1, 2021.

Hydrology and Water Quality. Potential environmental impacts related to Hydrology and Water Quality can be mitigated to 'less than significant' levels with mitigation measure HYD-1 added:

- HYD-1: The following mitigation measures shall be incorporated into the project as required by the Lake County Environmental Health Department:
 - A minimum of 56.25 lineal feet of leach line shall be required per bedroom or 150 gallons of flow.
 - A cross-sectional view shall be provided with the three copies of scaled plot plans and specifications for the installation of the system with a septic permit application.
 - All minimum required setbacks shall be maintained including 100 feet from all wells, 20 feet from the existing pool, and 10 feet from existing leach lines.
 - At the time of the site evaluation by the Environmental Health Department, property lines and corners were not well defined. A stake-out shall be required prior to permit issuance and property corners must be demonstrated at that time.
 - Drain fields must be installed on contour in the area as shown on the attached Report of Evaluation. Drain field installation shall not be permitted on ground that has been altered by cutting or filling.
 - Any person other than the property owner shall be licensed by the State of California to install and/or construct a septic system. A construction permit shall be obtained from this office and approved prior to installation of this system.

Tribal Cultural Resources. Potential environmental impacts related to Tribal Cultural Resources can be mitigated to 'less than significant' levels with mitigation measures TCR-1 to TCR-4 added:

- TCR-1: Prior to commencement of ground disturbing activities, the permittee shall submit documentation to the Community Development Department demonstrating that they have engaged with the culturally affiliated tribe(s) to provide cultural monitors and that cultural sensitivity training has been provided to site workers.
- TCR-2: All ground disturbing activities shall be monitored by qualified tribal monitor(s). Qualified tribal monitor(s) are defined as qualified individual(s) who have experience with identification, collection, and treatment of tribal cultural resources of value to the Tribes. Such individuals will include those who:
 - Possess the desired knowledge, skills, abilities, and experience established by the Native American Heritage Commission (NAHC) through the NAHC's Guidelines for Native American Monitors/ Consultants (2005) OR

- Members of culturally affiliated tribe(s) who:
 - Are culturally affiliated with the project area, as determined by the NAHC; and
 - Have been vetted by tribal officials of the culturally affiliated tribe(S) as having the desired knowledge, skills, abilities, and experience established by the NAHC's Guidelines for Native American Monitors (as cited in TCR-1(a), above).
- TCR-3: The permittee shall notify all culturally affiliated tribes at least 15 days prior to commencement of ground disturbance activities on the project. All cultural resources unearthed by Project activities shall be evaluated by the Archeologist and monitor(s). The culturally affiliated tribe(s) must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of the resource to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to a tribe, that tribe will coordinate with the permittee to establish by which the tribe(s) may appropriately protect, treat, and dispose of the resource(s) with appropriate dignity, which may include reburial or preservation of resources. The permittee shall allow the Tribe(s) to facilitate and ensure that the treatment and disposition by the Tribe(s) is followed to the extent permitted by law.
- TRC-4: If previously unidentified tribal cultural resources are encountered during the project altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources. A representative from a locally affiliated tribe(s) shall be contacted to evaluate the resource and prepare a tribal cultural resources plan to allow for identification and further evaluation in determining the tribal cultural resource significance and appropriate treatment or disposition.

Wildfire. Potential environmental impacts related to Wildfire can be mitigated to 'less than significant' levels with mitigation measure WILD-1 added:

- WF-1: Prior to operations, the applicant shall improve the interior driveway to meet Public Resource Code 4290 and 4291 commercial driveway standards.

Tribal Comments

Staff sent an AB52 notice to tribal governments on July 10, 2023, informing tribes of the proposed project and offering consultation under AB-52. On August 25, 2023, the Middletown Rancheria Tribe contacted staff by email to request consultation and a site visit. Staff contacted the applicant on October 13, 2023, with the Tribe's contact information so that a site visit could be arranged between the applicant and the Tribe. The THPO for the Tribe visited the site shortly after October 13, 2023, and then provided draft mitigation measures to the County for consideration. The County reviewed the suggested mitigation measures, revised them after consulting with upper management, and incorporated them into this document. An email was sent to THPO on May 10, 2024, to close consultation.

Following AB52 consultation closure, the County reached out to THPO at the Middletown Rancheria on September 23, 2024, to provide information on the reported violation. The

tribe was informed that the County was going to re-evaluate the proposed project under CEQA, including a re-evaluation of the cultural resources. The County contacted the tribe by email again on November 5, 2024, to let them know that a Cultural Resource Revisit was prepared by Archaeologist John W. Parker on October 11, 2024, and the report concluded the following: No significant disturbance had occurred to the historic cabin or prehistoric site during the brush clearing project. As of March 26, 2025, the County had not received a response from the Middletown Rancheria. The Notice of Intent for the recirculated CEQA document was published on February 3, 2025, and sent to the tribe at that time. As of May 8, 2025, there still has been no response.

Agency Comments

Agency comments submitted in response to the Request for Review that was sent on July 27, 2023, were received from the following agencies:

- Lake County Building Division
- Lake County Environmental Health Division
- Lake County Special Districts
- Lake County Department of Public Works, County Surveyor
- California Highway Patrol (Clearlake Office)
- California Department of Fish and Wildlife
- California Department of Forestry and Fire Management
- Pacific Gas and Electric

Additional comments were received from the Lake County Public Works Department regarding the fence and driveway. The applicant was notified of these comments, and they have been included as conditions of approval, as applicable.

Public Comments

Four public comments were received for the project (Attachment 5). One addressing the violation on the property reported to the County on June 10, 2024, and three from the same person addressing the fire alarm located at the Loch Lomond Fire Station which is across the street approximately 75 feet from the project site. As discussed previously, the grading violation has been cleared, and mitigation measures have been added to the recirculated MND. However, in regard to the fire alarm at the Loch Lomond Fire Station, CEQA generally does not require that public agencies analyze the impact existing environmental conditions might have on a project's future users or residents, according to the California Supreme Court's decision in *California Building Industry Association v Bay Area Air Quality Management District* (S213478, December 17, 2015). An agency must analyze how environmental conditions might adversely affect a project's residents or users only where the project itself might worsen existing environmental hazards in a way that will adversely affect them, or if one of the provisions of CEQA which require such an analysis for certain airport, school, and housing projects applies.

FINDINGS FOR APPROVAL

Article 54.5, Design Review

(a) The Review Authority shall only approve or conditionally approve a design review permit if all of the following findings are made:

1. That the proposed use is a permitted use in the district where it is located.

Response: The project site has a zoning designation of "C2" Community Commercial – "DR" Design Review, and a general plan designation of Community Commercial CC. Under the Lake County Municipal Code Zoning Ordinance Article 19, Section 21-19, subsection 19.3 The following community commercial uses are permitted:

When conducted within a completely enclosed building; when open to the public between the hours of 6:00 a.m. and 12:00 a.m.; when without drive-thru facilities; and when not exceeding a maximum of five thousand (5,000) square feet of gross floor area per use or ten thousand (10,000) square feet of total gross floor area:

(k) Hotels and motels when not exceeding a maximum of fifteen (15) dwelling units. (Ord. No. 2172, 8/12/1993)

2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.

Response: There are existing structures on the site including the Loch Lomond Market and Deli and other businesses that cater to tourism. The site is approximately 2.13 acres and would meet all applicable development standards listed in Article 19 of the Lake County Zoning Ordinance.

3. That there are adequate public or private services, including but not limited to fire protection, water supply, and sewage disposal.

Response: The site would be served by an on-site septic system, water from the Loch Lomond Mutual Water Company, and power from PG&E. The South Lake County Fire Protection District and Loch Lomond Fire Station are located approximately 75 feet (across the street from the project site) and 295 feet south of the project's parcel boundary line. Excess stormwater will be mitigated and conveyed via rock-lined swales and the utilization of self-retaining landscape areas.

4. That the project is in conformance with the applicable provisions and policies of this Chapter, the Lake County General Plan and any approved zoning or land use study or plan.

Response: With mitigation measures and conditions of approval applied, the project would meet all applicable requirements of the Lake County General Plan, Middletown Area plan, and Lake County Municipal Code Zoning Ordinance.

5. That the placement and design of buildings and structures are compatible with existing development and will not detract from the visual setting.

Response: Project plans (sheet A2) include building elevations and design was submitted by Northpoint Consulting Group, Inc. with the application. Colors are aligned with the Middletown Area Plan and can be seen in Figure 1 in this document. In addition, mitigation has been applied which will require ongoing maintenance of the fence.

6. That the project is in conformance with any applicable community design manual criteria.

Response: Additionally, the project also agrees with the Lake County Municipal Code Zoning Ordinance Article 53 for the Design Review "DR" zoning designation which requires all uses of land shall comply with the regulations of the base zoning district and with the additional regulations of "DR" combining district. Article 54 includes requirements for obtaining a Design Review Permit which includes, but not limited to, a review of the following:

Traffic and circulation, building arrangement, setbacks, walls and fences, noise emissions and control measures, off-street parking, physical design, building exteriors, architectural design, grading, drainage, landscaping, lighting, signs, public services and utilities, community design criteria, development and performance standards and the interrelationships of these elements.

With mitigation measures and conditions of approval incorporated into the project it would meet these requirements. Further, the project would meet all of the requirements from Article 41 as well for the reasons listed above.

7. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.

Response: The application was routed to Caltrans, CAL FIRE and the Lake County Department of Public Works. No adverse comments were received.

8. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis

Response: As mentioned previously, there was a violation that was reported on June 10, 2024, which has been cleared. All CEQA violations were addressed in the recirculated mitigation negative declaration (IS 23-08). The County's permitting database OpenGov was checked for violations on May 8, 2025, and there was none.

RECOMMENDATION

Staff recommends the following actions:

A. Adopt Mitigated Negative Declaration (IS 23-08) for Design Review Permit PL-25-23; DR 23-03 Belwood Motel with the following findings:

1. Potential environmental impacts related to Aesthetics can be mitigated to 'less than significant' levels with mitigation measures AES-1 and AES-2 added.
2. Potential environmental impacts related to Air Quality can be mitigated to 'less than significant' levels with mitigation measures AQ-1 to AQ-3 added.
3. Potential environmental impacts related to Biological Resources can be mitigated to 'less than significant' levels with mitigation measures BIO-1 to BIO-4 added.
4. Cultural Resources can be mitigated to 'less than significant' levels with mitigation measures CUL-1 and CUL-4 added.
5. Potential environmental impacts related to Energy can be mitigated to 'less than significant' levels with mitigation measures ENG-1 and ENG-2 added.
6. Potential environmental impacts related to Greenhouse Gas Emissions can be mitigated to 'less than significant' levels with mitigation measures GHG-1 to GHG-5 added.
7. Potential environmental impacts related to Hazards and Hazardous Materials can be mitigated to 'less than significant' levels with mitigation measure HAZ-1 added.
8. Potential environmental impacts related to Hydrology and Water Quality can be mitigated to 'less than significant' levels with mitigation measure HYD-1 added.
9. Potential environmental impacts related to Tribal Cultural Resources can be mitigated to 'less than significant' levels with mitigation measures TCR-1 to TCR-4 added.
10. Potential environmental impacts related to Wildfire can be mitigated to 'less than significant' levels with mitigation measure WILD-1 added.

B. Approve Design Review Permit PL-25-23; DR 23-03 Belwood Motel with the following findings:

1. That the proposed use is permitted use in the district where located.
2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
3. That there are adequate public or private services, including but not limited to fire protection, water supply, and sewage disposal.
4. That the project is in conformance with the applicable provisions and policies of this Chapter, the Lake County General Plan and any approved zoning or land use study or plan.

5. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.
6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis
7. That the project meets all requirements found within Articles 18, 41 and 56 and complies with all applicable Plans adopted by Lake County.

Sample Motions

Environmental Review

I hereby certify the Mitigated Negative Declaration IS 23-08 prepared for the PL-25-23; DR 23-03 Belwood Motel project located at 10336 Loch Lomond Road, Middletown (011-067-18), having determined that the Initial Study identified potentially significant environmental effects, but that mitigation measures incorporated into the project plans would avoid these effects or mitigate them to a point where clearly no significant effect on the environment would occur, consistent with Article 64, Section 64.1(a) of the Lake County Zoning Ordinance and Article 54.

Design Review Approval

I hereby approve the Design Review Permit for PL-25-23; DR 23-03 Belwood Motel, located at 10336 Loch Lomond Road, Middletown (011-067-18), with the findings in the staff report June 4, 2025, subject to the incorporated mitigation measures identified in the Mitigated Negative Declaration IS 23-08 and any other applicable conditions of approval, consistent with the authority of the Zoning Administrator as outlined in Article 54 of the Lake County Zoning Ordinance, and as delegated to the Planning Director.

***NOTE:** The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is disagreement with the Development Review Committee decision, an appeal to the Planning Commission may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Zoning Administrator's final determination.*