



PLANNING COMMISSION MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA

Tuesday, August 09, 2022

6:00 PM

The Planning Commission meetings are viewable in person in the Council Chambers, via livestreaming on the City's YouTube Channel (https://www.youtube.com/channel/UCTyifT_nKS-3woxEu1ilBXA) or "Lake County PEG TV Live Stream" at <https://www.youtube.com/user/LakeCountyPegTV/featured> and the public may participate through Zoom at the link listed below. The public can submit comments and questions in writing for Commission consideration by sending them to the Administrative Services Director/City Clerk at mswanson@clearlake.ca.us. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments prior to 4:00 p.m. on the day of the meeting.

AGENDA

MEETING PROCEDURES: *All items on agenda will be open for public comments before final action is taken. Citizens wishing to introduce written material into the record at the public meeting on any item are requested to provide a copy of the written material to the Administrative Services Director/City Clerk prior to the meeting date so that the material may be distributed to the Planning Commission prior to the meeting. Speakers must restrict comments to the item as it appears on the agenda and stay within a three minutes time limit. The Mayor has the discretion of limiting the total discussion time for an item.*

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

If you need disability related modification, including auxiliary aids or services, to participate in this meeting, please contact Melissa Swanson, Administrative Services Director/City Clerk at the Clearlake City Hall, 14050 Olympic Drive, Clearlake, California 95422, phone (707) 994-8201, ext 106, or via email at mswanson@clearlake.ca.us at least 72 hours prior to the meeting, to allow time to provide for special accommodations.

AGENDA REPORTS

Staff reports for each agenda item are available for review at www.clearlake.ca.us. Any writings or documents pertaining to an open session item provided to a majority of the Planning Commission less than 72 hours prior to the meeting, shall be made available for public inspection on the City's website at www.clearlake.ca.us.

Zoom Link: <https://clearlakeca.zoom.us/j/86000111445>

A. ROLL CALL**B. PLEDGE OF ALLEGIANCE****C. ADOPTION OF THE AGENDA** *(This is the time for agenda modifications.)*

D. PUBLIC COMMENT: *This is the time for any member of the public to address the Planning Commission on any matter not on the agenda that is within the subject matter jurisdiction of the City. **The Brown Act, with limited exceptions, does not allow the Commission or staff to discuss issues brought forth under Public Comment.** The Commission cannot take action on non-agenda items. Concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on each agenda item. Comments shall be limited to three (3) minutes per person.*

E. CONSENT AGENDA: *All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items unless a member of the Commission requests otherwise, or if staff has requested a change under Adoption of the Agenda, in which case the item will be removed for separate consideration. Any item so removed will be taken up following the motion to approve the Consent Agenda.*

1. Minutes of the June 14th 2022, Planning Commission Meeting

Recommended Action: Receive and file

2. The Planning Commission is being asked to make a determination of General Plan Consistency and environmental determination prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 010-031-010-000, and is commonly known as 6540 Old Highway 53, Clearlake, CA 95422.

F. PUBLIC HEARING

3. The Pregnancy Counseling Center of Ukiah, DBA Mendo Lake Women's Clinic, has applied for a Conditional Use Permit (CUP 2022-13), Sign Permit (SGN 2022-04), and associated environmental filing Categorical Exemption (CE 2022-12) to authorize the operation of an outpatient clinic within an existing commercial building located at 14595 Olympic Drive, Suite C, Clearlake California 95422.

G. BUSINESS**H. CITY MANAGER AND COMMISSIONER REPORTS****I. FUTURE AGENDA ITEMS****J. ADJOURNMENT**

POSTED: August 4, 2022

BY:

A handwritten signature in blue ink, appearing to read "Justin Sturgill". The signature is written in a cursive style with a large initial "J".

Justin Sturgill, Building Inspector/Permit Tech



PLANNING COMMISSION MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA

Tuesday, June 14, 2022

6:00 PM

MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/88066952814>

A. ROLL CALL

PRESENT

Chair Wilson

Vice Chair Robert Coker

Commissioner Erin McCarrick

Commissioner Fawn Williams

Commissioner Terry Stewart

B. PLEDGE OF ALLEGIANCE

C. ADOPTION OF THE AGENDA

Motion made by Commissioner Williams, Seconded by Commissioner Stewart.

Voting Yea: Vice Chair Coker, Commissioner McCarrick, Commissioner Williams, Chair Wilson,
Commissioner Stewart

D. PUBLIC COMMENT:

There were no public comments.

E. CONSENT AGENDA:

Motion made by Commissioner Williams, Seconded by Stewart.

Voting Yea: Vice Chair Coker, Commissioner McCarrick, Commissioner Williams, Chair Wilson,
Commissioner Stewart

1. Minutes of May 24, 2022 Planning Commission Meeting
Recommended Action: Receive and file.

2. Determination of General Plan Consistency and environmental determination prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 042-234-620-000,16626 3rd Avenue, Clearlake, CA 95422.

F. PUBLIC HEARING

G. BUSINESS

3. Presentation of Planning Commission Norms and Procedures

Administrative Services Director/City Clerk Melissa Swanson gave the presentation.

H. CITY MANAGER AND COMMISSIONER REPORTS

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

The meeting was adjourned at 6:47pm.

POSTED: June 08, 2022

BY:



Justin Sturgill, Secretary/Permit Technician



CITY OF CLEARLAKE

Planning Commission

STAFF REPORT	
SUBJECT: General Plan Consistency Determination, GPCD 2022-05 Categorical Exemption, CE 2022-20	MEETING DATE (Regular): 08/09/2022
SUBMITTED BY: Michael Taylor, Planning Department	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	
LOCATION: 6540 Old Highway 53 APN: 010-031-010-000	APPLICANT/OWNER: City of Clearlake/ Amerigas Propane LP
ZONING: General Commercial (GC)	GENERAL PLAN: Commercial

WHAT IS BEING ASKED OF THE PLANNING COMMISSION

The Planning Commission is being asked to make a determination of General Plan Consistency and environmental determination prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 010-031-010-000, and is commonly known as 6540 Old Highway 53, Clearlake, CA 95422.

BACKGROUND/DISCUSSION

The parcel is vacant and located at the corner of Old Highway 53 and 18th Avenue. The adjacent surrounding parcels are mostly characterized by undeveloped lots zoned commercial. Beyond the adjacent lots and across Old Highway 53 are low- and high-density residential lots. The parcel is generally rectangular in shape and approximately 0.75 acres in size (32,670 square feet). Parcels in the area are generally rectangular in shape and vary in size, ranging on average 5,000 square feet to over 15 acres.

Adjacent Roads

Old Highway 53 is improved and identified as a major collector on the general plan circulation map.

18th Avenue (Airport Road Extension) is currently unimproved and is identified as a minor arterial road on the general plan circulation map.

Acquisition of the parcel would potentially advance the needed improvement of the adjacent roadways and intersections to meet the general plan policy objectives to achieve a connected and efficient circulation system and positive correlation with land use.

Water

Highlands Water District

Public Sewer

Old Highway 53-gravity main to Highlands Harbor

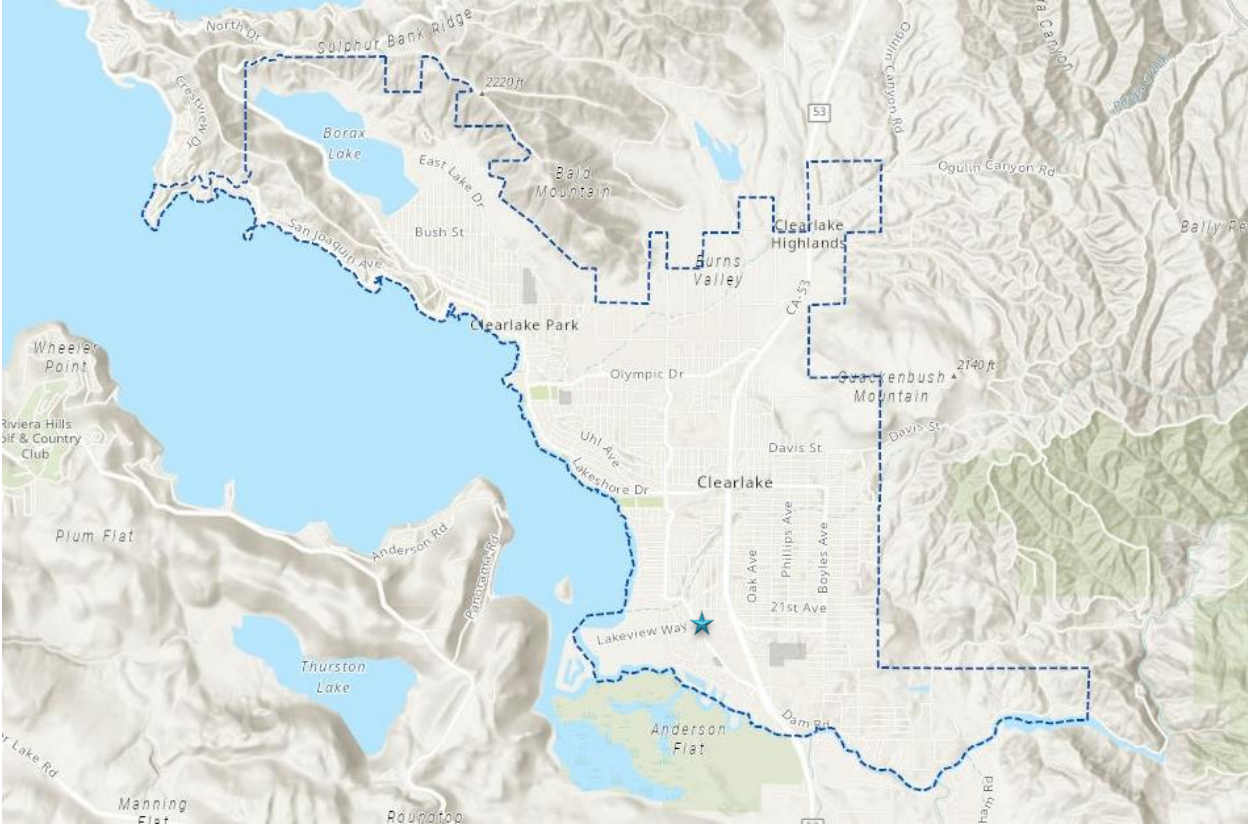
Topography

Predominantly 0 to 10 percent slopes with some areas of 20 to 30 slopes on eastern portion of parcel.

Vegetation

Mostly disturbed. Dirt with low ground cover. Some pine and oak trees including scrub.

The property could be developed with commercial uses per Section 18-18 Use Regulations of the municipal code.



Location Map

GENERAL PLAN AND ZONING ORDINANCE CONSISTENCY

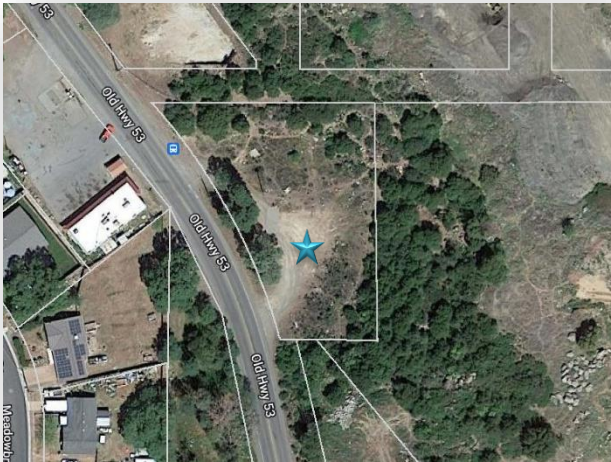
General Plan and Zoning Designation:

General Plan:

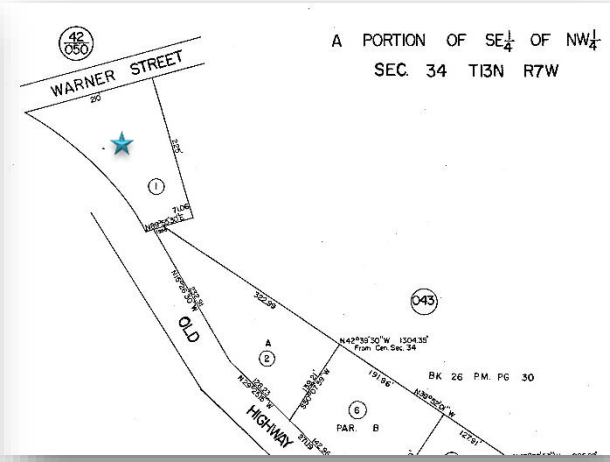
The parcel and immediate surrounding area are designated as mostly Commercial which allows, for example, retail and office type use concentrations and limited residential. All general plan land use policy elements applicable for this parcel.

Zoning Ordinance:

Land use designation of "GC" General Commercial allows for general commercial uses which are diverse, visually pleasing, convenient in terms of parking and access, attractive and used by citizens of Clearlake as well as visitors to the area. The minimum lot size is three thousand (3,000) feet with a potential maximum building height up to fifty (50') feet.



Aerial of Parcel



APN: 010-031-01

ENVIRONMENTAL REVIEW (CEQA)

Categorical Exemption CE 2022-20.

This General Plan Consistency Report is exempt from the California Environmental Quality Act (CEQA) under Section 15061 (b)(3) (Common Sense Exemption) and therefore does not require an environmental determination process. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review. Future development of the site may be subject to additional environmental analysis.

ENABLING PROVISIONS OF THE PLANNING COMMISSION

Government Code Section 65402 states that prior to the conveyance of real property by a government agency, the planning agency must first make the finding that the location, extent, and purpose of such conveyance is in conformance with the General Plan. The city is requesting a determination of General Plan consistency for the proposed transfer of 6540 Old Highway 53, Clearlake, CA 95422.

RECOMMENDATION

Staff recommends option 1 below – that the Planning Commission move to Adopt Resolution PC 2022-18, a Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.

MOTION/OPTIONS

1. Move to Adopt Resolution PC 2022-18, A Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.
2. Move to Deny Resolution PC 2022-18 and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

ATTACHMENT(S)

1. Attachment 1 – Resolution

RESOLUTION NO. PC 2022-18

**A Resolution of the Planning Commission of the City of Clearlake
General Plan Consistency Determination GPCD 2022-05
for the property located at 6540 Old Highway 53, Clearlake CA 95422
Assessor Parcel Number (APN) 010-031-010-00.**

WHEREAS, State Government Code Section 65402 stipulates that prior to the acquisition of real property by a government agency, the planning agency of the jurisdiction in which said property is located must first make the finding that the transfer of said real property is in conformity with the adopted General Plan of the local jurisdiction; and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as 6540 Old Highway 53, Clearlake CA 95422, APN 010-031-010-000; and

WHEREAS, the project is Exempt from the California Environmental Quality Act under Section 15061 (b)(3); and

WHEREAS, the Planning Commission of the City of Clearlake has reviewed and considered the staff report, testimony, and evidence at a regular meeting on August 9, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Clearlake makes the following findings:

- 1) The acquisition of this property is consistent with the adopted goals, objectives, and polices of the General Plan.

PASSED AND ADOPTED on this 9th day of August, 2022 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chairman, Planning Commission

ATTEST: _____
City Clerk, Planning Commission



City of Clearlake

Conditional Use Permit Planning Commission

STAFF REPORT	
SUBJECT: Conditional Use Permit, CUP 2022-13 Sign Permit, SGN 2022-04 Categorical Exemption, CE 2022-12	MEETING DATE: 8/9/2022 (Regular)
SUBMITTED BY: Mark Roberts, Senior Planner; Michael Taylor, Assistant Planner	
REPORT PURPOSE: <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Discussion <input type="checkbox"/> Information Only	
LOCATION: 14595 Olympic Drive, Suite C Clearlake, CA 95422	APPLICANT: Mendo Lake Women’s Clinic
APN: 039-164-44-000	PROPERTY OWNER: Ed Roark
ZONING: General Commercial GC	GENERAL PLAN: Commercial

WHAT IS BEING ASKED OF THE PLANNING COMMISSION:

The Planning Commission is being asked to consider Conditional Use Permit, CUP 2022-13, Sign Permit, SGN 2022-04 and corresponding environmental filing, Categorical Exemption, CE 2022-12 to authorize the operation of an outpatient clinic [*Pregnancy Counseling Center of Ukiah, DBA Mendo Lake Women’s Clinic (MLWC)*] within an existing commercial building located at 14595 Olympic Drive, Suite C, Clearlake California 95422.

PROJECT SUMMARY:

MLWC Services

MLWC is a non-profit organization with the parent clinic located in Ukiah.

The proposed Clearlake intermittent outpatient clinic would provide limited services at no charge to women with unplanned pregnancy. Services would include but are not limited to; pregnancy testing, prenatal vitamin provision, limited ultrasounds, options consultation, sexually transmitted infection testing and limited treatment, and an Abortion Pill Recovery Treatment Program.

Hours of Operation

The outpatient clinic is proposed to be open Monday, Wednesday, and Thursdays to patients from 12:30 p.m. to 5:00 p.m. The clinic will be staffed with up to four (4) employees and anticipate a maximum of five (5) patients per day during patient hours.

Existing Building and Parcel

Located at the corner of Olympic Drive and Buckeye Street, the tenant space that will house the outpatient clinic is approximately 2,000 square feet in size and is part of an existing 5,000 square foot L-shaped commercial building that spans across two contiguous parcels. Majority of the existing building floor area (approximately 3,100 square feet) is on assessor parcel number 039-164-44 (the project parcel). The

project parcel is approximately 10,400 square feet in land area and comprised of lots 11N, 11S, 12, and 13N of the Austin’s Athletic and Country Club Tract 1.

Tenant Improvements

According to the proposed interior layout (*Attachment # 5 Proposed Floor Plan*) the applicant will make interior modifications (i.e., reception area, offices, counseling rooms, exam rooms, restrooms and a mechanical room. Prior to construction, the applicant and/or their designee shall submit a complete building permit application packet for review.

Parking and Vehicular Access

The parcels are bordered by Olympic Drive on the north, Buckeye Street on the east, and Madrone Street on the west. Access is via a driveway entrance at Buckeye Street and an exit at Madrone Street. No driveway cuts exist along Olympic Drive.

An existing onsite parking lot is generally shared between the two parcels and uses. The access is by a common one-way drive-aisle spanning both parcels. There is a total of approximately 23 parking spaces, which appears to include 2 ADA spaces and 21 standard spaces. 1 (one) ADA parking space and 11 standard parking spaces exists on the project parcel.

Pursuant to Section 18-20.090 Parking Space Requirements of the Municipal Code, 3 (three) spaces per 1,000 square feet of office or service uses is required. The current shared parking lot provides 21 standard spaces. With a total building area of approximately 5,200 square feet the required number of standard parking spaces per the municipal code would be 16 spaces.

According to the Department of Justice, 2010 ADA Standards for Accessible Design 1 (one) accessible parking space is required for up to 25 parking spaces. The subject parcel has 1 (one) accessible parking space.

Signage

The applicant is proposing a new business sign to be located on the building (*Please Refer to Attachment # 5 for details*). Upon review of the Preliminary Signage Plan, it appears the proposed Signage adheres to the City’s Municipal Codes. Use permit conditions of approval requires the submittal and approval by staff of a Final Signage Plan that complies with Section 18-21 (Sign Regulations) of the City’s Municipal Codes.

Landscaping

The applicant has not provided a Landscape and Irrigation Plan for review. Any new landscape and irrigation will be subject to compliance with Section 18-20.130, Water Efficient Landscaping of the City’s Municipal Codes/Zoning Ordinance, including the City’s Landscaping and Irrigation Design Standards. Use permit conditions of approval requires the applicant to submit a Landscape and Irrigation Plan for review and approval that complies with these standards.

AGENCY AND PUBLIC REVIEW:

A request for review (RFR) was distributed to various Federal, State and local agencies for review/comment. The RFR was sent out on May 12, 2022, which allowed agencies to provide and submit comments no later than May 31, 2022. During the commenting period, the city did not receive any adverse comments/concerns.

The project was also sent out for Tribal Consultation in accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB 52. This allows Tribal Organizations 30 days from the receipt of the notice to request Tribal Consultation. The city did not receive any comments and/or Tribal Consultation request regarding the proposed project.

PARCEL SETTING

The subject parcel is generally square in shape and approximately 10,400 square feet (0.24 acres) in size, developed with an existing building and parking, and located at the corner of Olympic Drive and Buckeye Street. The surrounding land uses include mixed-use and commercial to the north, east, and west, and medium density residential to the south.

GENERAL PLAN CONSISTENCY, AND ZONING AND DESIGN STANDARDS COMPLIANCE:

General Plan Consistency: The General Plan identifies the project site for General Commercial (GC).

GOAL LU 1: Grow a Sustainable Community:

- Objective LU 1.1: Maintain an appropriate mix of land uses.
 - *Policy LU 1.1.1: The City should grow contiguously to manage the efficiency of public services and municipal infrastructure provision, to maintain a compact and well-defined community form, and to oblige its fiscal responsibility.*

GOAL LU 6: Easy access to daily needs and services:

- Objective LU 6.1: A vibrant and compatible mix of uses.
 - *Policy LU 6.1.1: Residential-serving commercial uses should be in close proximity to residential areas.*

GOAL HE 1: Accessible healthcare:

- Objective HE 1.1: Increase access to healthcare facilities.
 - *Policy HE 1.1.2: The City should support programs that establish health services to serve hard-to-reach populations or areas.*
- Objective HE 1.2: Increase and enhance health care facilities in the City.
 - *Policy HE 1.2.1: The City shall support and encourage the enhancement of existing and development of new healthcare facilities in Clearlake, including mental health facilities, to meet the needs of the community.*

Zoning Ordinance Consistency/Regulations:

The proposed operation would involve the development and operation of an outpatient clinic, which requires a Conditional Use Permit Pursuant to Section 18-18.020 of the City Municipal Code. Upon review of the submitted application, including agency review, staff has determined the proposed use in conformance with all applicable regulations with the incorporated Conditions of Approval.

Section 18-45.010 (Definitions) Defines **Health Care Facility** as the following:

- Any facility, place or building which is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including after convalescence and rehabilitation **and including care during and after pregnancy or for anyone (1) or more of these purposes.** “Health care facility” shall include general hospitals, **walk-in clinics**, acute psychiatric hospital, intermediate care facility, developmentally disabled habilitative, and ambulatory/surgical centers

To grant a discretionary permit, the Director, Planning Commission, or City Council, the review authority, must find that the proposed use will not be detrimental to the health, safety or welfare of persons working or living at the site or within the vicinity.

The Director, Planning Commission or Council may deny the proposal or attach conditions as deemed necessary to secure the purposes of these regulations. Actions on use permits shall be justified by written findings, based on substantial evidence in view of the whole record (Section 18-28.040, Findings).

ENVIRONMENTAL REVIEW (CEQA):

Upon review, staff has determined the project to be Categorical Exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15301, Existing Facilities, Class 1 (a)(c) as the operation will be utilizing existing infrastructure.

LEGAL NOTICE & PUBLIC COMMENT

The public hearing was noticed at least ten (10) days in advance in an electronic publication of the Lake County Record Bee on July 27th, 2022 and mailed (via USPS) to all surrounding property owners within 300 feet of the subject parcel as required pursuant to the Clearlake Municipal Code.

- All mailing addresses are drawn from the electronic database supplied by the Lake County Assessor Office Database.
- **The City of Clearlake did not receive any written public comment/concerns regarding the project.**

MOTION/OPTIONS:

1. Move to Adopt Resolution PC 2022-16, A Resolution of the Planning Commission of the City of Clearlake Approving Conditional Use Permit Application CUP 2022-13, Sign Permit, SGN 2022-04 & Categorical Exemption, CE 2022-12 for the development and operation of an outpatient clinic located at 14595 Olympic Drive, Suite C, Clearlake, CA 95422, further described as Assessor Parcel Number 039-164-024-000.
2. Move to Deny Resolution PC 2022-16, and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

ATTACHMENTS:

- 1) Resolution PC 2022-16 with Conditions of Approval
- 2) Project Description
- 3) Proposed Site Plan
- 4) Proposed Floor Plan
- 5) Proposed Signage
- 6) Submitted Conditional Use Permit Application

RESOLUTION No. PC 2022-16

**A Resolution of the Planning Commmsion
City of Clearlake, State of California
Approving Conditional Use Permit CUP 2022-13,
Sign Permit, SGN 2022-04 and Categorical Exemption, CE 2022-12
to allow the Operation of an Outpatient/Walk-in Clinic**

WHEREAS, The Pregnancy Counseling Center of Ukiah, DBA Mendo Lake Women’s Clinic (applicant/Operator) applied for approval of a Conditional Use Permit to allow the operation of an outpatient/walk-in clinic. Said operation would be open to patients three days a week. The project is located in the “GC” General Commercial Zoning District located at 14595 Olympic Drive, Suite C, Clearlake, CA 95422, APN 039-164-44-000; and

WHEREAS, the following applications have been made in accordance with the following sections of the City Municipal Code/Zoning Code 18-19.020, and;

WHEREAS, theses applications have been processed in accordance with the City’s Environmental Review Guidelines; and;

WHEREAS, the project is Categorical Exempt from Environmental Review Pursuant to Article 19, Categorical Exemptions of the State of California Environment Quality Act (CEQA) Statute and Guidelines under Section 15301 (Class 1) Existing Facilities; and

WHEREAS, adequate public noticing was made for the project in accordance with the Municipal Code, and;

WHEREAS, the City’s Zoning designates the project site as “GC” General Commercial as conditioned, the proposed use and design would be consistent with the General Plan; and

WHEREAS, the General Plan designates the project site as Commercial as conditioned, the proposed use and design would be consistent with the General Plan; and

WHEREAS, the project is subject to obtaining a conditional use permit from the Planning Commission in accordance with Section 18-19.020 regarding Walk-in Clinic; Therefore, in accordance Section 18-28.040 of the Zoning Code regarding use permits, the Planning Commission finds that these uses as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to the property, improvements or potential development in the vicinity with respect to aspects including, but not limited to, the following:

- a) *The nature of the proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures.*
- b) *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic and the adequacy of proposed off-street parking and loading,*
- c) *The safeguards afforded to prevent noxious of offensive emissions such as noise, glare, dust and odor,*
- d) *Treatment given, as appropriate, to such aspects as landscaping, open spaces, parking areas, loading areas, service areas, lighting, and signs.*

and;

WHEREAS, with the incorporated conditions of approval, referenced as Exhibit A herein, the project complies with the Clearlake Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the City of Clearlake – Planning Commission of the City of Clearlake that the project is hereby approved, subject to approved Conditions of Approval (Exhibit A).

PASSED AND ADOPTED on this 9th day of August, 2022 by the following vote:

Planning Commissioner	AYES	NOES	ABSENT	ABSTAIN
Chair Lisa Wilson				
Vice Chair Robert Coker				
Fawn Williams				
Erin McCarrick				
Terry Stewart				

City of Clearlake – Planning Commission Chair

ATTEST: _____
City of Clearlake Clerk/Deputy Clerk

EXHIBIT A

CITY OF CLEARLAKE
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT, CUP 2022-13
SIGN PERMIT, SGN 2022-04
CATEGORICAL EXEMPTION, CE 2022-12
THE PREGNANCY COUNSELING CENTER OF UKIAH
DBA MENDO LAKE WOMEN'S CLINIC

GENERAL CONDITIONS:

1. The use hereby permitted shall substantially conform to the **Site Plan(s), and Project Description** submitted with application dated **May 11, 2022** and any conditions of approval imposed by the above Conditional Use Permit and Review Authority as shown on the approved site plan for this action dated **August 9, 2022**, including all requirements of the City of Clearlake Municipal Codes.
2. The operation shall not exceed the maximum occupancy as prescribed by the California Building Code.
3. The applicant shall keep a copy of the approved conditions of approval on premises at all times.
4. Any modifications and/or additions to a use requiring use permit approval shall itself be subject to use permit approval. The addition of an allowed use to a premise occupied by a conditionally allowed use shall require use permit approval of the type required for the existing use. The Director shall determine when such an addition and/or change is of such a minor or incidental nature that the intent of these regulations can be met without further use permit control.
5. Any conditions established pursuant to these regulations shall be met before the use is established, except that the Director, Planning Commission or on appeal, the City Council, may establish a schedule for certain conditions to be met after establishment of the use. Continuance of the use shall then be contingent on complying with the schedule for meeting deferred conditions.
6. This Conditional Use Permit does not abridge or supersede the regulatory powers and permit requirements of any federal, state, or local agency requirements, which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain and maintained permits as may be required from each agency.
7. The operator shall be responsible to pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under federal, state, and local laws.
8. The applicant is responsible for ensuring that all project workers including third party vendors are informed of, understand, and agree to abide by the approved plans and project conditions.
9. The applicant and/or their designee shall obtain an encroachment permit for all improvements, within the right of way.
10. **Prior to operation**, the permit holder shall meet and operate in full compliance with fire safety rules and regulations of the Lake County Fire District.
11. All parking areas, routes of travel, building access and bathrooms shall meet the American with Disabilities Act (ADA) requirements and must be reviewed and approved of a Certified Accessibility Access Specialist (CASP). Handicapped accessibility routes and handicapped parking spaces shall not be effected by the operation.
14. **Prior to operation and/or issuance of any building permits**, the following shall be submitted for review and approval.
 - Subject to City Engineer approval, Civil Site Plans identifying existing and proposed storm drains, drainage ditches, curbs, sidewalks, gutters, and striping, as regulated by the City's Design and Construction Standards. (if applicable)

- A Final Off-Street Parking and Circulation Plan shall be submitted for review and approval. Said plan shall be found in compliance with the City of Clearlake Municipal Codes, Design Standards and all other applicable local/federal/state laws, including ADA and CASP requirements.
 - Subject to Community Development Department approval a Landscaping and Irrigation Plan shall be submitted for review and approval. Said plan shall demonstrate compliance with the City's Municipal Code and Design Standards regarding landscaping.
 - Subject to Community Development Department approval a Trash Enclosure Plan shall be submitted for review and approval in accordance with City of Clearlake Municipal Codes and Trash Enclosure Design Standards. The plans shall show that the enclosure will be constructed of block with an attractive cap and the gates should incorporate solid metal materials painted to match the building colors. The gates should be mounted on separate posts mounted inside the enclosure. A hose bib should be located next to the enclosure for maintenance.
 - Subject to Community Development Department approval an Exterior Lighting Plan shall be submitted for review and approval. Lighting poles, if used, should not exceed 15 feet in height. All lighting shall be shield and directed downwards and adhere to all Federal, State and local agency requirements, including the dark-sky requirements found at <https://www.darksky.org/>. All lighting shall not project beyond the project parcel boundaries
 - Subject to Community Development Department approval a Final Signage Plan for all existing and proposed signs shall be submitted for review and approval. The sign plan shall comply with the City's Municipal Codes and Design Requirements. No bunting strips, banners, flags, whirligigs or other attention-getting devices shall be displayed on site without Directors approval.
12. **Prior to operation and/or development**, the applicant shall secure/maintain any required permits from the City of Clearlake (Building Department, Planning and Public Works), Fire District, Lake County Air Quality Management District, Lake County Water Resources Department, Lake County Environmental Health Department, Lake County Special Districts, local water district and/or all applicable Federal, State and local agency permits.
 13. **Prior to Operation**, the applicant shall apply and obtain a Business License from the City of Clearlake. Said license shall be renewed annually and maintained for life of the operation.
 14. All hazardous waste shall not be disposed of on-site without review or permits from Environmental Health Department, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.
 15. Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.
 16. The storage of hazardous materials equals to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division.
 17. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.
 18. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the district at least 14 days prior to beginning any demolition work. The applicant must contact the district for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.

19. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
20. All areas subject to semi-truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas; however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits
21. Any stationary prime power or backup diesel generator requires an application submitted to LCAQMD. All engines must be notified to LCAQMD prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance shall be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines and must meet local regulations. Contact LCAQMD for more details.
22. Significant dust may be generated from increased vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the district recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy.
23. The cultural resource consultant's investigation shall proceed into formal evaluation to determine their eligibility for the California Register of Historical Resources. This shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the features and artifacts do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists – e.g., there is an intact feature with a large and varied artifact assemblage – it will be necessary to mitigate any Project impacts. Mitigation of impacts might include avoidance of further disturbance to the resources through Project redesign. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during Project excavation or testing, curation may be an appropriate mitigation. This language of this mitigation measure shall be included on any future grading plans and utility plans approved by the City for the Project.
24. If human remains are encountered, no further disturbance shall occur within 100 feet of the vicinity of the find(s) until the Lake County Coroner has made the necessary findings as to origin (*California Health and Safety Code Section 7050.5*). Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Lake County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then identify the "most likely descendant(s)", which parties agree will likely be the Koi Nation based upon the Tribe's ancestral ties to the area and previous designation as MLD on projects in the geographic vicinity. The landowner shall engage in consultations with the most likely descendant (MLD). The MLD will make recommendations concerning the treatment of the remains within 48 hours as provided in Public Resources Code 5097.98.
25. The developer/landowner shall relinquish ownership of all sacred items, burial goods and all archaeological artifacts that are found on the project area to the Koi Nation for proper treatment and disposition.

26. Any modifications and/or additions to a use requiring use permit approval shall itself be subject to use permit approval. The addition of an allowed use to a premise occupied by a conditionally allowed use shall require use permit approval of the type required for the existing use. The Community Development Director shall determine when such an addition and/or change is of such a minor or incidental nature that the intent of these regulations can be met without further use permit control.
27. This use permit does not abridge or supersede the regulatory powers and permit requirements of any federal, state, or local agency requirements, which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain and maintained permits as may be required from each agency.
28. The developer/operator shall agree to indemnify, defend, and hold harmless the City or its agents, officers and employees from and against any and all claims, actions, demands or proceeding (including damage, attorney fees, and court cost awards) against the City or its agents, officers, or employees to attach, set aside, void, or annul an approval of the City, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. In providing any defense under this Paragraph, the applicant, business operator, property owner, developer shall use counsel reasonably acceptable to the City. The City shall promptly notify the applicant, business operator, property owner, developer of any claim, action, demands or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the developer/operator of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the developer/operator shall not thereafter be responsible to defend, indemnify, or hold the City harmless as to that action. The City may require that the developer/operator to post a bond, in an amount determined to be sufficient, to satisfy the above indemnification and defense obligation. Developer/operator understands and acknowledges that City is under no obligation to defend any claim, action, demand or proceeding challenging the City's actions with respect to the permit or entitlement.
29. All conditions are necessary to protect the general health, safety and welfare of the public. If any condition of this entitlement is held to be invalid by a court, the whole entitlement shall be invalid. The Director specifically declares that it would not have approved this entitlement unless all of the conditions herein are held as valid.
30. The use permit may be transferred to new owners at the same location/use upon notifying the City Planning Department of said ownership transfer and upon the new owner's written agreement to maintain all conditions of approval.
31. Said Conditional Use Permit shall be subject to revocation or modification by the review authority if the review authority finds that there has been:
- a. *Noncompliance with any of the foregoing conditions of approval; or*
 - b. *The Planning Director finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Clearlake Municipal Code.*
 - c. *Found to be detrimental to health, safety, comfort, general welfare of the public, constitutes a public nuisance; if the permit was obtained or is being used by fraud; and/or if one or more the conditions upon which a permit was granted are in noncompliance or have been violated. Applicant shall be notified of potential violations of the use permit prior to action*
 - d. *If the approved use permit is not established within one (1) year of the date of approval or such longer time as may be stipulated as a condition of approval, the use permit shall expire.*
 - e. *Expiration of Use Permit. When a use that was allowed by approval of a use permit ceases operation for one (1) year or such other time period as specified in the conditions of approval, then reinstatement of that use will be allowed only with approval of a new use permit.*

To be Completed by Authorized Representative/Applicant

ACCEPTANCE

I have read and understand the foregoing Conditional Use Permit and agree to each term and condition of approval and/or mitigation measure(s) thereof.

Name: _____

Signature: _____

Date: _____

<u>To Be Completed by Authorized Personnel</u>	
Name: _____	Signature: _____
Title: _____	Date: _____

Mark Roberts

From: Cathy H <cathyh@thecenterukiah.com>
Sent: Friday, April 15, 2022 10:58 AM
To: Mark Roberts
Subject: Response to inquiry

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Roberts,

I was informed by Phill Skiles who is doing the work at 14595 Olympic Drive in Clearlake, that you needed some information from us regarding the clinic we are intending to operate at that location.

Mendo Lake Women's Clinic is a limited service, intermittent clinic serving women with unplanned pregnancy by providing pregnancy and sexually transmitted infection testing, limited obstetrical ultrasounds, options consultation and limited STI treatment. We intend to open MWTh to patients 12:30 - 5 but may open only two of those days initially. We will have 3-4 employees on site during patient hours plus prep hours outside of that for patients. We can accommodate a maximum of 5 patients per day. We are an outpatient clinic so we do not have any beds or that nature of operation. We do not prescribe medications except the two STI's for which we test which entail for one a single dose of one pill and for the other, a single injection given on site. Other than that, we provide prenatal vitamins. We are anticipating being able to add an Abortion Pill Recovery Treatment program which entails an initial injection and then a treatment program utilizing a pre-approved pill regimen (progesterone). This program may be in place by our anticipated opening sometime in July.

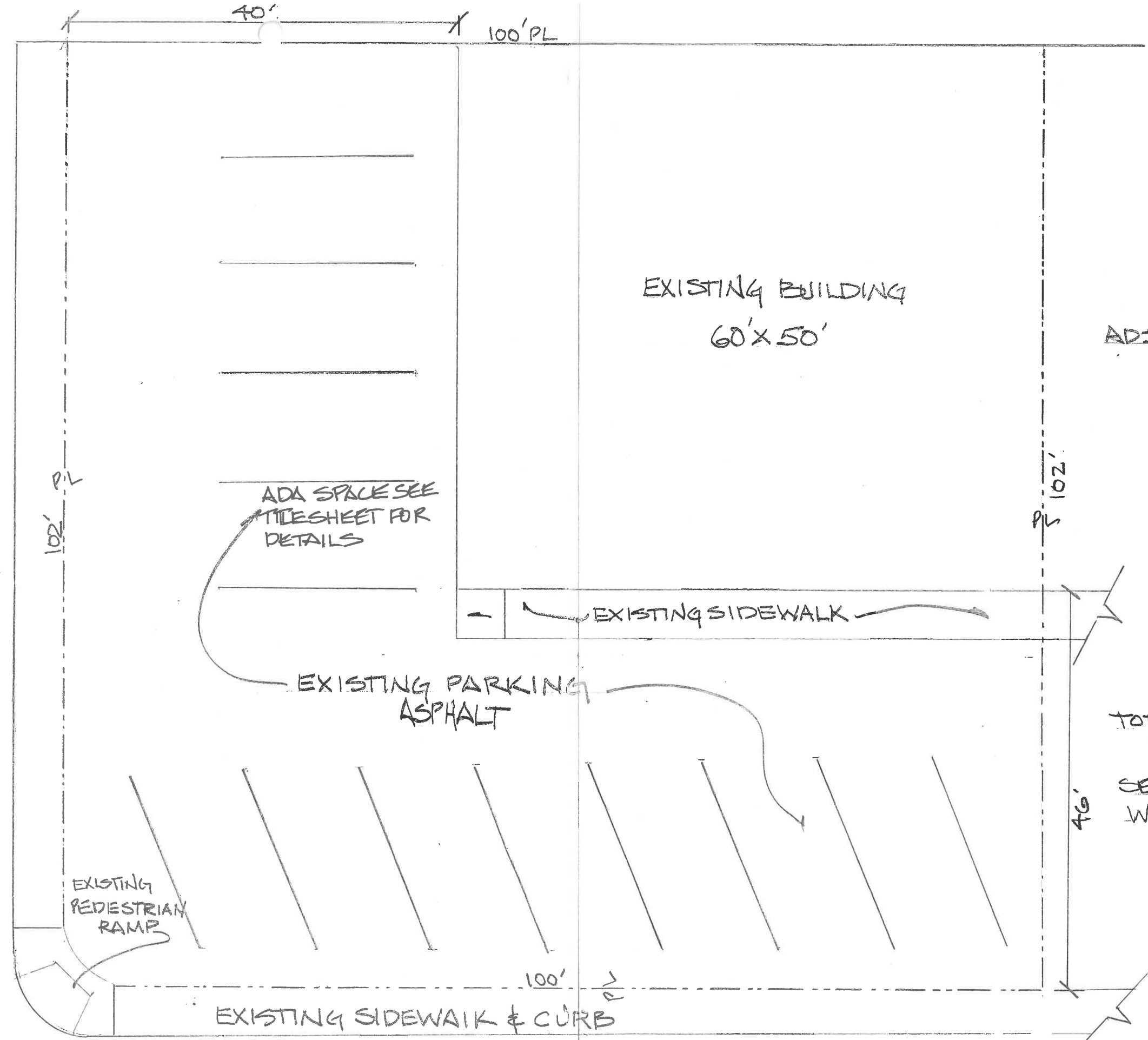
We are a non-profit and provide all services without charge to our patients. Our parent clinic is Mendo Lake Women's Clinic in Ukiah. We are funded by private donors (no govt funding) through The Center for Life Choices, our other DBA. We are in the process of filing for DBA's in Lake County. Please let me know if you need further information or have any questions.

Cathy Hoyt
Board Chairperson
The Center for Life Choices
Mendo Lake Women's Clinic

wk. 1-707-463-0220
cell 1-707-391-4270

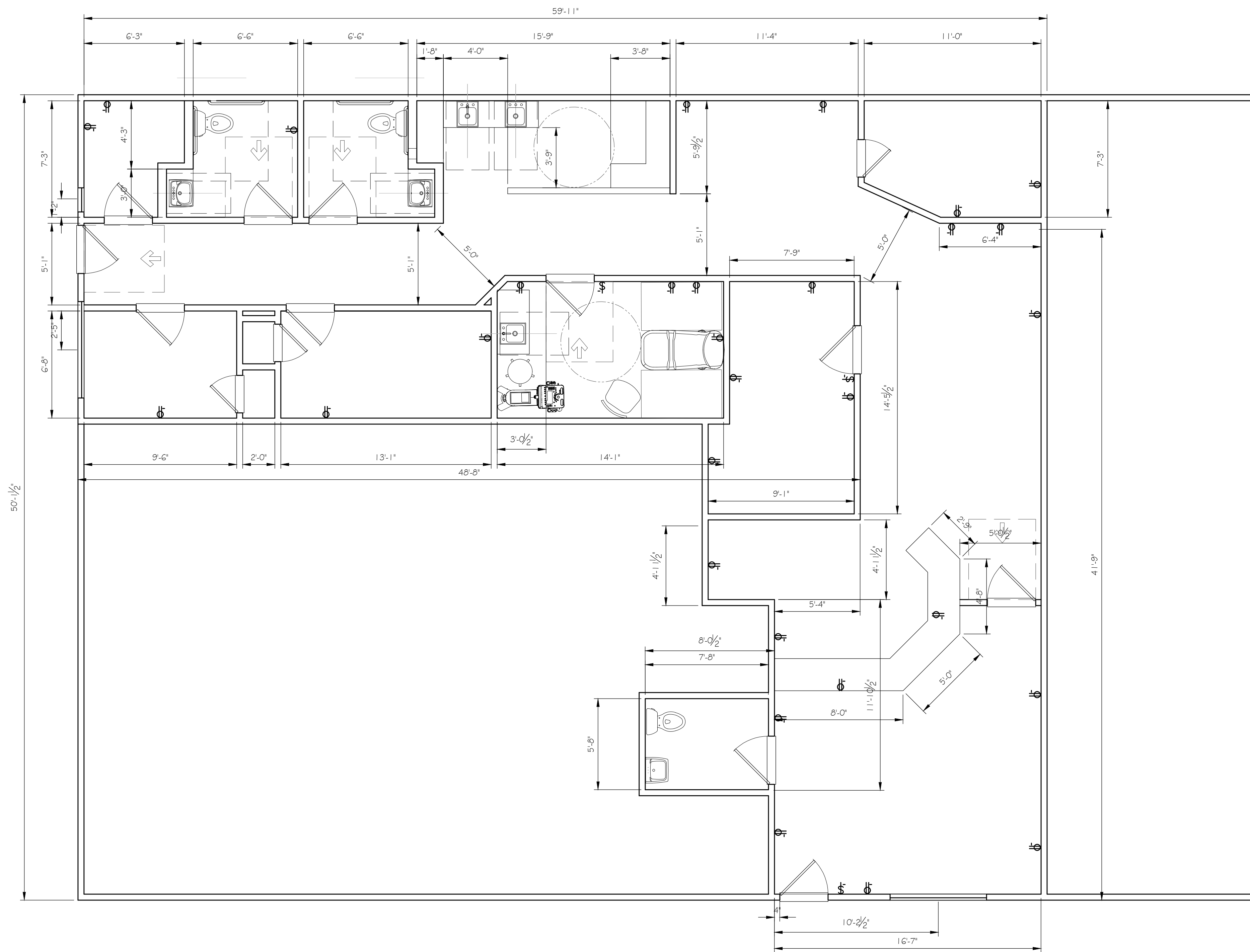
Working to erase the need for abortion in Lake and Mendocino Counties by bringing His message of Life.

BUCKEYE ST.



TOTAL PARCELSIZE
10,200 sq. FT.
SERVED BY PUBLIC
WATER & SEWER

14595 OLYMPIC DR APN# 039-164-44 SCALE 3/32" = 1'



DATE:
SCALE:
REVISIONS:

SHEET TITLE:

PROJECT TITLE:


Skiles & Associates
 General Contractor
 10000 W. 10th Ave., Suite 100
 Denver, CO 80202
 Phone: (303) 755-2500 Fax: (303) 755-1006
 Email: info@skilesandassociates.com

Sheet NO.

of



48"

12"

CUP 2022-13
E 2022-12
SGN 2022-0

Section F, Item 3.



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

RECEIVED

Conditional Use Permit (CUP)

MAY 11 2022

INITIAL FEES:	
Use Permit	\$750.00
Signage Permit	\$85.00
CEQA/CE	
Total Cost	\$835.00
Receipt #	
Date	5/11/22
Received By	DJ

APN 039-164-44

CITY OF CLEARLAKE APPLICANT:

Regency Counseling Center of Ukiah

NAME: ASA Mendocino Women's Clinic

MAILING ADDRESS: 925 S. Orchard Ave Ste D

CITY: Ukiah

STATE: Calif ZIP: 95482

PRIMARY PHONE: () 707 463 0220

EMAIL: Cathy@thecenterukiah.com

SIGNATURE: Cathy S Hoyt

I declare under penalty of perjury that I am the owner of said property or have written authority from property owner to file this application. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate any approval of this application.

PROPERTY OWNER (IF NOT APPLICANT):

NAME: Ed Roark

MAILING ADDRESS: 1221 Quail St

CITY: Twin Falls

STATE: ID ZIP: 83301

PRIMARY PHONE: ()

EMAIL: _____

SIGNATURE: _____

I declare under penalty of perjury that I am the owner of said property or have written authority from property owner to file this application. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate any approval of this application.

PROJECT LOCATION:

ADDRESS: 14595 Olympic Dr. Unit C

PROPERTY SIZE: 10,000 sq ft

PRESENT USE OF LAND: medical office

WATER SUPPLY: Golden State Water Co.

SEWER/SEPTIC: City

FLOOD ZONE: NO

OFFICE ONLY:

ZONING: ~~MAPR~~ ~~COC~~

GENERAL PLAN: ~~MAPR~~ commercial

APPROVED: _____ DATE: _____

RELATED FILES: _____

NOTES: _____

DESCRIPTION OF PROJECT: see email dated 4-15-22

Modifications to existing medical office to suit the needs of MWC, pregnancy screening and consultation office to become compliant with OSHPD/ADA standards of requirements.

Modifications include renovation of existing, non-compliant bathroom to create 2 ADA compliant bathrooms.

Installation of HVAC system compliant w/OSHPD standards

Modification of doors & hallways to meet OSHPD/ADA standards and requirements.

Clinic operations include pregnancy testing, limited obstetrical ultrasound, consultation & limited material support.

we are licensed with the state of Calif. Public Health as an intermittent free clinic,



Receipt Number:

RO0

Section F, Item 3.

Cashier Name:

Register Operator

Terminal Number:

2

Receipt Date: 5/11/2022 5:35:38 PM

CUP 2022-13 , CE 2022-12, SGN 2022-04

Trans Code: 106 - Planning/Zoning

Name: CUP 2022-13 , CE 2022-12, SIGN 2022-04

\$835.00

Product: PLANNING/ZONING

Units: 0.00 Amount: 835.00

CUP 2022-13 , CE 2022-12, SIGN 2022-04 835.00

PLANNING/ZONING 835.00

100-414-510 -835.00

Total Balance Due: \$835.00

Payment Method: CHECK

Payor: CUP 2022-13 , CE 2022-12, Reference: CHECK # 4136

Amount: \$835.00

Total Payment Received: \$835.00

Change: \$0.00

Supplemental Data for Use Permit

Please answer the following questions as thoroughly as possible. If questions do not apply to your project, please provide an explanation of why. Use separate sheets of paper if necessary. **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CITY OF CLEARLAKE - PLANNING DIVISION.**

Description of objective of project and its operational characteristics:

Type of Business: Intermittent Free Women's Medical Clinic

Product or service provided: Women's Health Services

Hours of operation: 12:30 - 5

Days of operation: M, W, Th

Number of shifts (normal): 1

Number of shifts (peak): 1

Employees per shift (normal): 3

Employees per shift (peak): 3

Number of deliveries per day: 1 per week

Number of customer per day: 5

Number of pick-ups per day: 1 per week

Lot size: 10,000 sq ft approx

Number and type of company Vehicles: 0

Type of loading facilities: 0

Floor area of existing structures: approx 2000 sq ft

Proposed building floor area: same

Number of existing parking spaces: _____

Number of proposed parking spaces: same

Number of floors: 1

Additional relevant information: _____

Supplemental Data Continued)

When do you anticipate starting construction?

upon receipt of bldg permit

How long will construction take?

2-3 mos

What days/times will construction occur?

weekdays during normal working hours

What type of construction equipment will be used?

N/A

How many truck/vehicle trips will be necessary for construction?

N/A

Will equipment be idling during construction?

No

Where will construction equipment be staged/stored?

No equip storage needed

Will any trees or vegetation be removed? If yes, please provide type and amounts.

No

Supplemental Data (Continued)

How much grading is anticipated to occur and where?

N/A

Will soil be imported or exported to/from the site? If so from where and what amount?

N/A

Is trenching required? If yes, please provide location, dimensions and cubic yards.

N/A

How much water will be used for construction, operation and maintenance? What is the water source?

N/A

Describe how scenic views or vistas are impacted by the cultivation site.

N/A

What lighting is proposed for the project? Will areas be lit at night?

N/A

What type of hazardous materials may and/or will occur on site? How will the hazardous material be disposed of?

N/A

Supplemental Data for (Continued)

Will this project result in the loss of forest land? If so, describe how many acres and what type of trees.

No

How will dust, ash, smoke, fumes or odors generated by the cultivation site be managed?

N/A

Are there any water features (drainages, streams, creeks, lakes, rivers, vernal pools, wetlands, etc.) on-site or immediately adjacent to the project? If yes, will any work take place in or near them?

No

Will there be a loss of any wetland or streamside vegetation? If yes, describe where, total area, and type of vegetation lost.

No

Describe and site or buildings have any archaeological or historical significance.

No

What are the slopes on project site?

N/A - existing bldg

Supplemental Data (Continued)

Describe the soils found at the site and their potential for landslides, erosion, lateral spreading, subsidence, liquefaction, or collapse.

N/A - existing building

Describe methods to be taken to reduce greenhouse gases.

N/A

Will solid waste be produced? If yes, how will it be disposed of?

Limited construction debris - hauled to landfill or recycled

Will hazardous waste be produced? If yes, how will it be disposed of?

No

How will vegetative waste be managed?

N/A

How will growth medium waste be managed?

N/A

Will any material be taken to a landfill? If yes, which one and how much material is anticipated?

Supplemental Data (Continued)

Describe risk of an explosion or release of hazardous substances in case of an accident.

None

Do portions of the cultivation site periodically flood?

No

Describe the existing drainage patterns on the site and how they may be alternated and to what degree as a result of this project.

N/A - no patterns will be altered

What Best Management Practices (BMP's) or measures will be implemented in order to prevent erosion and impacts to water quality?

N/A

Is wastewater treatment required for the project? If yes, what is the source?

No

Describe how this project is consistent with the City's General Plan and Zoning Ordinance.

The previous tenant conducted a medical clinic offices
we will be the same type of business.

Describe the level and frequency of noise or vibration that will be generated from this project.

All work is interior - no vibration & little noise
will be generated

Supplemental Data for Initial Study (Continued)

Describe what measures have been taken to maintain or improve level of service for the appropriate emergency services (Fire, Police, etc.).

ADA compliance upgrades will improve access

How is the site accessed?

Parking lot borders Olympic drive with access from Buckeye St.

Describe the amount of traffic the project will generate.

Minimal daytime

Are there any road improvements that would be required? If yes, please provide specs (type of materials and dimensions).

No

Describe if this project will result increased traffic hazards to motor vehicles, bicyclists, or pedestrians?

No

Are greenhouses or other accessory structures proposed? If yes, what are the dimensions of the structures and materials/colors they will be constructed out of?

No

What sources of energy will be used?

Electric - existing