

RESOLUTION NO. PC 2022-24

**A Resolution of the Planning Commission of the City of Clearlake
Approving Use Permit UP 2022-17 and Categorical Exemption CE 2022-25
Alcoholic Beverage Sales On-Site Consumption**

WHEREAS Denisse Herrera, representative of La Chilanguita Mexican Restaurant, applied for approval of a use permit for alcoholic beverage sales (on-site consumption) within an existing established restaurant. The project is in the General Commercial (GC) Zone located at 15165 Lakeshore Drive, Clearlake, APN 040-330-460-000: and

WHEREAS, the Planning Commission, on December 13, 2022, concurred with the City Zoning Code Section 18-9 General Commercial (GC), Section 18-18 Use Regulations, and Section 18-19.110 Alcoholic Beverage Regulations alcoholic beverage sales are subject to a use permit; and

WHEREAS this use permit application has been made in accordance with Section 18-9 General Commercial (GC) Zone, Section 18-18 Use Regulations, and 18-19.110 Alcoholic Beverage Regulations of the Zoning Code, as further defined as uses generally allowed; and

WHEREAS the project is categorically exempt from environmental review pursuant to Article 19, Categorical Exemptions of the State California Environmental Quality Act (CEQA) Statute and Guidelines, Section 15301. Existing Facilities, Class 1, and,

WHEREAS the use permit application has been processed in accordance with the City's Environmental Review Guidelines; and

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

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

WHEREAS, in accordance with Section 18-28.040 Findings of the Zoning Code the use 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 or 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.

WHEREAS, with the incorporated conditions of approval, the project complies with the Clearlake Zoning Code.

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

PASSED AND ADOPTED on this 13th day of December 2022 by the following vote:

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

Chair, Planning Commission

ATTEST: _____
City Clerk, Planning Commission