



# City of Clearlake

## Conditional Use Permit Planning Commission

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