



City of Clearlake Planning Commission

STAFF REPORT	
SUBJECT: Conditional Use Permit - CUP 2025-02 Categorical Exemption - CE 2025-03	MEETING DATE: June 10th, 2025 6:00 p.m.
SUBMITTED BY: Mark Roberts – Senior Planner	
REPORT PURPOSE: <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Discussion <input type="checkbox"/> Information Only	
LOCATION: 15140 Lakeshore Drive Clearlake, CA 95422	APPLICANT: Johnny Silvera
APN: 040-330-37	PROPERTY OWNER: Todd Choy (Lakeshore Drive, LLC)
ZONING: General Commercial	GENERAL PLAN: Commercial

WHAT IS BEING ASKED OF THE PLANNING COMMISSION:

The Planning Commission is being asked to consider Conditional Use Permit, CUP 2025-02, and corresponding environmental filing, Categorical Exemption, CE 2025-03 to allow a Tattoo Parlor located at 15140 Lakeshore Drive, Clearlake, CA 95422 further described as Assessor Parcel Number 040-330-37.



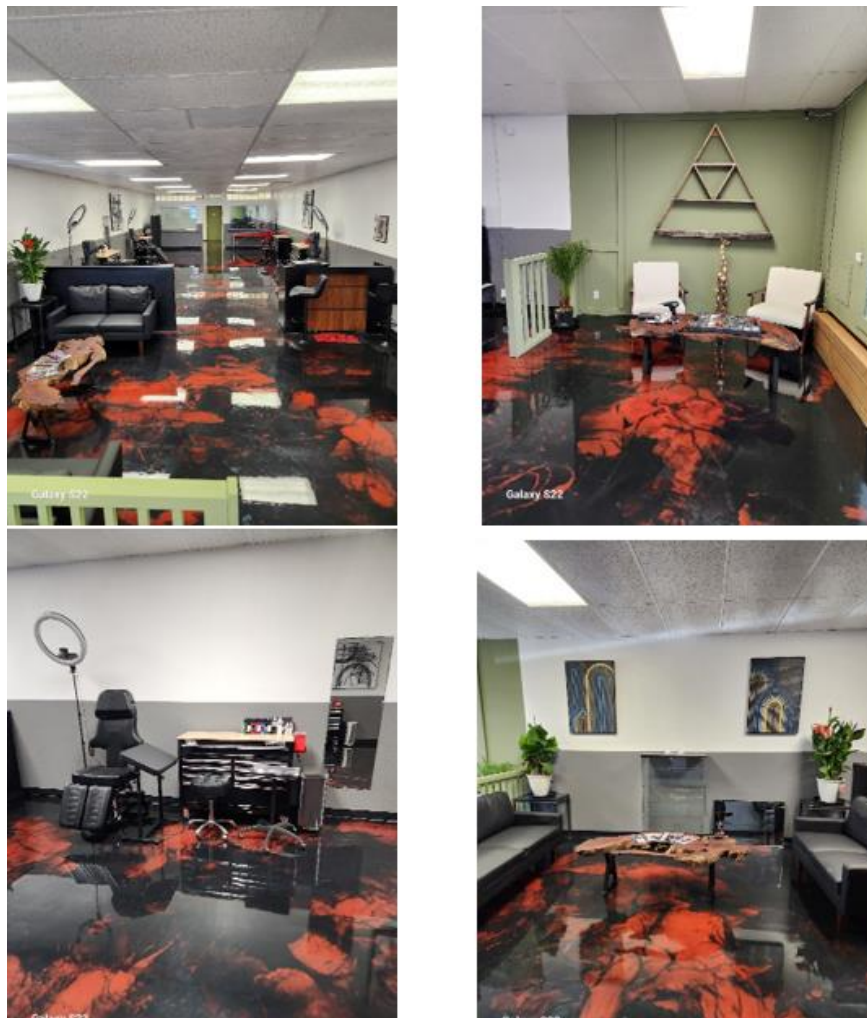
PROJECT SUMMARY:

The business is located within the Highland Center, an established commercial development featuring a diverse mix of tenants, including but not limited to healthcare facilities, restaurants, and retail services.

The proposed business is a professional tattoo parlor which will occupy an existing 1,600 square foot unit. The operation will offer body art services, including both custom and pre-designed tattoos. The business may offer body piercing services, providing clients with a broader selection of body art options. All services will be performed in compliance with State and local health and safety regulations.

Access: The primary access is located off Lakeshore Drive, approximately one-third of a mile from the intersection of State Highway 53. There is a secondary access point via West 40th Street, which also serves as an access point for residential development.

Parking: The Highland Center offers over 150 shared parking spaces throughout the commercial plaza. Of these, more than 50 spaces are in the immediate vicinity of the applicant's unit.



AGENCY REVIEW:

On March 13, 2025, a Request for Review (RFR) was distributed via email to various city departments and relevant agencies, inviting them to review and provide comments. *(Refer to Attachment D for details).*

- City of Clearlake (Building, Planning, Public Works, and Police/Code Enforcement Departments)
- Lake County Fire Protection District
- Lake County Environmental Health Department
- Lake County Special Districts
- Lake County Assessor's Office
- Lake County Tax Collector's Office

During the review period, the city received comments from the Lake County Environmental Health Department and Lake County Special Districts. No adverse comments or objections were submitted. In response, Conditions of Approval have been incorporated to ensure full compliance with the applicable requirements of the commenting agencies.

MUNICIPAL CODE:

Land Use Designation: The project site is located within the General Commercial Zoning District and a Tattoo Parlor is an allowable use upon securing a Conditional Use Permit (*Chapter 18.18, Section 18.18.030 – Commercial, Recreation, and Amusement Uses -Table 5*).

ENVIRONMENTAL REVIEW (CEQA):

The California Environmental Quality Act (CEQA) mandates that agencies assess the environmental impacts of land use actions. Following a review of the application, agencies comments, and that the use will operate within an existing structure (*1,600 square foot unit*), staff concluded that the project is Categorically Exempt from Environmental Review in accordance with Chapter 19, Section 15301 (Class 1 - Existing Facilities).

- *Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.*

The proposed use qualifies for this exemption, as it will operate within an existing structure, with no expansion or physical modifications to the structure or its current use. By utilizing the existing facilities as-is, the project avoids any significant environmental impacts and aligns with the criteria outlined in CEQA Guidelines Section 15301.

LEGAL NOTICE & PUBLIC COMMENT:

The public hearing was duly noticed at least ten (10) days in advance, in accordance with the requirements of the Clearlake Municipal Code. Notice was published electronically in the Lake County Record Bee on Saturday, May 31st, 2025, and mailed via USPS to all property owners within a 300-foot radius of the subject parcel. All mailing addresses are drawn from the electronic database supplied by the Lake County Assessor Office.

FINDINGS OF APPROVAL:

Pursuant to Section 18-28.040, to grant a Conditional Use Permit, the acting review authority (City Council, Planning Commission or Community Development Director) must make the following determinations:

1. That the proposed use will not be detrimental to the health, safety or welfare of people working or living at the site or within the vicinity.
2. The acting review authority may deny the proposal or attach conditions as deemed necessary to secure the purposes of these regulations.
3. Actions on permit use shall be justified by written findings, based on substantial evidence in view of the whole record.

MOTION/OPTIONS:

1. Move to Adopt Resolution PC 2025-04, A Resolution of the Planning Commission of the City of Clearlake Approving Conditional Use Permit, CUP 2025-02, and corresponding environmental filing, Categorical Exemption, CE 2025-03 to allow a Tattoo Parlor located at 15140 Lakeshore Drive Clearlake, CA further described as Assessor Parcel Number 040-330-37.
2. Move to deny Resolution PC 2025-04 and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate directions to staff.

ATTACHMENTS:

- Attachment A – PC Resolution PC 2025-04 with Conditions of Approval
- Attachment B – Submitted Conditional Use Permit Application
- Attachment C – Interior Operation Layout
- Attachment D – Agency Comments Received