



City of Clearlake Planning Commission

STAFF REPORT	
SUBJECT: Conditional Use Permit, CUP 2024-04 Categorical Exemption, CE 2024-08	MEETING DATE: April 22, 2025 6:00 p.m.
SUBMITTED BY: Michael Taylor, Associate Planner	
REPORT PURPOSE: <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Discussion <input type="checkbox"/> Information Only	
LOCATION: 14642 Lakeshore Drive Unit A Clearlake, CA 95422	APPLICANT: Jose Tapia (Self Made Billiards & Taqueria)
APN: 040-194-05	PROPERTY OWNER: Jose Alejandro Tapia Jr.
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 2024-04, and corresponding environmental filing, Categorical Exemption, CE 2024-08 to allow live music events within an existing restaurant and bar, commonly known as Self Made Billiards & Taqueria (Business) is located at 14642 Lakeshore Drive, Unit A, Clearlake, CA further described as Assessor Parcel Number 040-194-05.



BACKGROUND/DISCUSSION:

The Business is in the Self-Made Plaza (plaza), a small neighborhood center, about 0.70 acres in size, fronting the Lakeshore Drive general commercial corridor. The Plaza is comprised of two multi-tenant buildings and a freestanding tenant building. The Business is in the larger of the 3 buildings and is approximately 5,100 square feet in floor area, which includes 3 tenant spaces, Units A, B, and C (Attachment B, page 012). Other types of businesses in the center include dog grooming, hair salon, and apparel.

Surrounding Uses

Within 300 feet of the plaza there are a mix of uses including medium density residential to the northeast, general commercial and mixed-use to southwest along Lakeshore, and general commercial to the northwest and southeast (Attachment C). Redbud Park is approximately 300 feet southwest as the crow flies.

Access and Parking

Primary vehicle and pedestrian access are from Lakeshore Drive. Emory Avenue, a southeast northwest local collector road, serves as primary access to residential neighborhoods, as well as secondary access for the center. The center shares 150 lineal feet of frontage with Emory Avenue, and an existing fence and access gate are along the rear property line. There are approximately 47 onsite parking spaces.

RESTAURANT:

Current Operation

The business currently operates as a full-service establishment that includes a food service component, bar service, and a designated billiards area and the applicant holds an active Type 41 Beer and Wine license (license number 654005).

A Type 41 license is issued to bona fide eating establishments by the California Department of Alcoholic beverage Control permitting the on- and off-site sale of beer and wine, provided the primary use of the premises remains food service. Distilled spirits are not permitted, except for limited use in cooking purposes (such as brandy, rum, or liqueurs). The license requires the establishment to maintain suitable kitchen facilities and to demonstrate substantial sales of meals for on-site consumption. The license type is subject to the Responsible Beverage Service requirements and requires alcohol servers and managers of alcohol servers to be certified. This license type also allows minors on the premises.

Occupancy

The billiards hall, bar and restaurant are in 2 (two) tenant spaces, Unit A and Unit B. Unit A, which is the focus of the use permit, houses the bar and billiards hall, and Unit B is a dining area. Unit A is approximately 2,350 square feet of area and Unit B is approximately 1,145 square feet in area: total floor area of 3,495 square feet. The maximum occupancy for Units A and B combined is 185 people, as determined by the City of Clearlake Building Department.

Maximum occupancy per room

- Billiards Hall (Unit A) - 120
- Bar Room (Unit A) - 5
- Dining Room (Unit B) - 60

The current hours of operation are 11:00 a.m. to 10:00 p.m. Tuesday through Sunday, and closed on Mondays.

Proposed Live Music - Unit A

The applicant proposes adding live music to the billiards hall and bar operations which will be in Unit A. A stage, dance floor, and the replacement of pool tables with dining tables and chairs will be for each live music event (Attachment B, page 012). Food, beverages, beer and wine will be available during the live music sessions.

- Hours of operation proposed
 - Music venue with food service: 10:00 p.m.-1:30 a.m. (Friday and/or Saturday, Holidays, for a maximum of 30 times per year)
 - Dining room 11:00 a.m.-10:00 p.m. (Tuesday-Sunday)
 - Billiards, bar, and food service 11:00 a.m.-10:00 p.m. (Tuesday-Sunday)
- Employees: 4 (during music venue)
- Anticipated attendees: 80 customers at music venue not including dining room
- Security: 3 security guards
- Parking: Retail Center: 44 standard spaces, 3 ADA spaces.
- Valet Parking: None proposed.

According to the applicant, a contract for event security with Parks Security (PPO License No. 10906) has been completed for the year 2025 (Attachment B, page 015). Three (3) qualified security guards for each event will manage access points, monitor events, and respond to incidents and emergency situations.

Temporary Use Permits

Temporary use permits were approved by staff allowing live music events prior to application of the conditional use permit. No nuisance reports or violations were reported in conjunction with the temporary use permits.

AGENCY REVIEW:

A request for review (RFR) was distributed by email on October 24, 2024, to the following city departments and agencies, and asked to provide comments (Attachment D).

- City of Clearlake Departments: Building, Code, Police
- Agencies: Lake County Fire, Highlands Water, Lake County Environmental Health, Special Districts

During the review period no adverse comments were received. However, the applicant has been required to remove from the property an open utility trailer filled with garbage and debris (active code case CE-25-0117).

MUNICIPAL CODE:

Zoning

Pursuant to Chapter 18-18 Use Regulations, Section 18-18.010 Uses Allowed by Zones, b. Interpretation of Use Listing. These regulations are intended to permit similar types of uses within each zone. The Director, subject to the appeal procedures of Article 18-36, shall determine whether uses which are not listed shall be deemed allowed or allowed subject to use permit approval in a certain zone. This interpretation procedure shall not be used as a substitute for the amendment procedure as a means of adding new types of uses to a zone.

- *Live music is not specifically allowed nor is it identified as prohibited but is like other uses and in conjunction with other use activities such as a bar and alcoholic beverage consumption would require an administrative or conditional use permit. Live music would be considered an event facility, dance hall requiring a conditional use permit.*

Noise

Pursuant to Chapter V Police Regulations, Section 5-4 Noise Restrictions; Exceptions, a., No person shall produce any noise by any means between the hours of 10:00 p.m. and 7:00 a.m. which when measured within fifty (50') feet of any dwelling or transient accommodation exceeds 55 decibels. "Dwelling" includes apartments, duplexes, mobile homes, and conventional single-family residences. "Transient accommodation" includes hotels, motels, hospitals, travel trailer parks and campgrounds.

The restaurant is located within 50 feet of residential, however the live music is located indoors and at the front of the building. Previously approved temporary use permit did not result in public complaints as far as staff is concerned.

ENVIRONMENTAL REVIEW (CEQA):

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of land use actions. Upon review of the application, agency comments, and considering that the project is located within an urbanized area, staff has determined the project to be Categorically Exempt from environmental review in accordance with Chapter 19, Section Class 1 - 15301 (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 project aligns with the requirements of CEQA Article 19 Class 3 § 15301 (Existing Facilities) as the operation of live music events will occur within the existing restaurant and bar, commonly known as Self Made Billiards & Taqueria (Business). The operation of the live events does not require the expansion of the current use or structure.

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 April 12, 2025, 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.
- The City of Clearlake did not receive any written public comment or concerns regarding the project.

FINDINGS OF APPROVAL:

Pursuant to Section 18-28.040, to grant a Conditional Use Permit, the Community Development Director, Planning Commission or City Council must determine the following:

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 Community Development Director, Planning Commission or the City Council 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 2025-02, A Resolution of the Planning Commission of the City of Clearlake Approving Conditional Use Permit (Attachment A), CUP 2024-04 and Categorical Exemption, CE 2024-08 located at 14642 Lakeshore Drive, Clearlake, CA 95422, further described as Assessor Parcel Number 040-194-05.
2. Move to deny Resolution PC 2025-02, and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate directions to staff.

ATTACHMENTS:

1. Attachment A (Resolution PC 2025-02 / Conditions of Approval)
2. Attachment B (Submitted application for use permit)
3. Attachment C (Zoning)
4. Attachment D (Agency comments received)