

RESOLUTION NO. PC 2025-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLEARLAKE, CALIFORNIA, ADOPTING CONDITIONAL USE PERMIT CUP 2025-01 AND CORRESPONDING CATEGORICAL EXEMPTION CE 2025-02 FOR THE LEARNNG HOUSE LOCATED AT 14840 BURNS VALLEY ROAD (APN: 039-353-08), CLEARLAKE, CA.

WHEREAS, Elaine Robinson (*Applicant*), applied for a Conditional Use Permit, CUP 2025-01 and corresponding Categorical Exemption, CE 2025-02 to allow the expansion of the Learning House (UP 01-09), and the conversion of a manufactured home 1,945 square feet in size into a commercial use located at 14840 Burns Valley Road, Clearlake, CA further described as Assessor's Parcel Number 039-353-08, and;

WHEREAS, the application has been made in accordance with the City Municipal Code Regulations Chapter 18 - Section 18-18 (*Use Regulations*); and

WHEREAS, the project is found to comply with the City Municipal Codes/Standards as conditioned (*Refer to Enclosed Exhibit A*) by this conditional use permit; and

WHEREAS, in accordance with Section 18-28 of the City Municipal 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, and*
- (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, and.*
- (c) *The safeguards afforded to prevent noxious offensive emissions such as noise, glare, dust and odors, and.*
- (d) *Treatment given, as appropriate to such aspects as landscaping, screening, open spaces, parking areas, loading areas, service areas, lighting, and signs; and*

WHEREAS, the project is Categorical Exempt (CE 2025-02) from Environmental Review Pursuant to Article 19, Categorical Exemptions of the State of California Environment Quality Act (CEQA) Statute and Guidelines, Section 15301 - Existing Facilities; and,

WHEREAS, if any section, division, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

WHEREAS, on **October 28th, 2025**, the Planning Commission of the City of Clearlake held a duly noticed public hearing at which interested members of the public and/or agencies had the opportunity to testify;

WHEREAS, the Planning Commission considered the proposed development, associated documents, including all comments and concerns (agencies and/or the general public); and

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

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Clearlake that the project is hereby approved, subject to the following conditions being satisfied:

PASSED AND ADOPTED on this 28th day of October 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair - Planning Commission

ATTEST:

City Clerk/Deput Clerk

EXHIBIT A

CONDITIONS OF APPROVAL CONDITIONAL USE PERMIT, CUP 2025-01 THE LEARNING HOUSE

Pursuant to the approval of the Planning Commission on **October 28th 2025**, there is hereby granted to Elaine Robinson, a Conditional Use Permit, CUP 2025-01 and corresponding Categorical Exemption, CE 2025-02 with the following conditions of approval Conditional Use Permit (CUP 2025-01) and corresponding Categorical Exemption (CE 2025-01) to allow the expansion of the Learning House, and the conversion of an manufactured home 1,945 square feet in size into a commercial use located at 14840 Burns Valley Road, Clearlake, CA further described as Assessor's Parcel Number 039-353-08.

SECTION A: GENERAL CONDITIONS:

1. The use hereby permitted shall substantially conform to the Site Plan(s), and Project Description and any conditions of approval imposed by the above Conditional Use Permit as shown on the approved site plan for this action dated October 28th, 2025.
2. All accessible parking areas, routes of travel to and from all buildings, parking areas, structures and bathrooms shall meet the American with Disabilities Act (ADA) requirements and all current CA Building Codes. **Said condition shall be met prior to use of the converted structure.**
3. The permit holder shall meet and operate in full compliance with fire safety rules and regulations of the Lake County Fire Protection District, which may require improvements to the infrastructure. **Said condition shall be met prior to use of the converted structure.**
4. The operation shall not exceed the maximum occupancy (students/facility) as prescribed by the California Building Codes and Standards. Below is the maximum occupancy per building based on square footage. **Said maximum occupancy shall be posted in each building within 30 days of permit approval and subject to verification by the Building Official/Inspection.**
 - *Building 1 (1,945SQFT): Max occupancy of 55*
 - *Building 2 (1,800 SQFT): Max occupancy of 52*
 - *Building 3 (288 SQFT): Max occupancy of 8*
 - *Building 4 (1,472 SQFT): Max occupancy of 42*
5. The applicant shall satisfy all California Department of Social Services requirements with an approval letter submitted to the City of Clearlake – Community Development Department **within 30 days of approval of said use permit.**
6. **Prior to Operation**, the applicant shall have obtained and maintain an active Business License from the City of Clearlake. Said Business License may be applied for and secured through the City of Clearlake's Online Permitting System at <https://clearlakeca.portal.opengov.com/>. All business licenses are valid from September 30th to September 30th and shall be renewed annually.
7. The permit holder shall meet and operate in full compliance with all required food safety rules and regulations of the County of Lake Environmental Health Division.
8. The applicant shall secure and maintain any required permits from the City of Clearlake (Building Department, Planning and Public Works), Lake County Fire Protection District, Lake County Environmental Health Department, Lake County Special Districts, and/or all applicable Federal, State and local agency permits.

9. The applicant is responsible for ensuring that all employees including third party vendors are informed of, understand, and agree to abide by the approved plans and project conditions.
10. Any modifications and/or additions to the conditional use permit shall itself be subject to conditional use permit approval and shall go before the Planning Commission for consideration, unless the City Manager/Community Development Director determines such change is incidental in nature and that the intent of these regulations can be met without further use permit control.
11. 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 review authority specifically declares that it would not have approved of this entitlement unless all of the conditions herein are held as valid.
12. The conditional use permit may be transferred to new owners at the same location/use upon notifying the Community Development Department of said ownership transfer and upon the new owner's written agreement to maintain all conditions of approval. Said use permit is unable to be transferred or applied to a new parcel.
13. The development and/or operation shall adhere to all applicable requirements of the City Municipal Codes and Standards.
14. Conditional of Approval, UP 01-09 remains active and effective for the Learning House Operation.
15. The hours of operation shall adhere to 7:00AM to 6:00PM Monday through Friday.

SECTION B. AESTHETICS:

1. All outdoor lighting shall be directed downwards and shielded onto the project site and not onto adjacent properties. All lighting shall comply and adhere to all federal, state and local agency requirements, including all requirements in darksky.org. (Refer to the City's Design Standards).
2. The applicant shall coordinate with the Community Development Department to install a Trash Enclosure Plan in accordance with City of Clearlake Municipal Codes and Trash Enclosure Design Standards. **Said installation shall occur within 30 days of use permit approval.**
3. **Prior to the installation of any signage**, the applicant shall coordinate with the Community Development Department and secure the required permits. All signage shall adhere to Federal, State and local agency requirements, including the City's Municipal Code and Design Standards.

SECTION C. AIR QUALITY:

1. The applicant shall adhere to and secure all necessary permits from the Lake County Air Quality Management District during development and/or routine maintenance (if applicable).
2. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Lake County Air Quality Management District and the Lake County Fire Protection District. The burning of construction debris is prohibited.
3. **During construction activities**, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.

SECTION D – CULTURAL & TRIBAL RESOURCES:

1. During construction activities, if any subsurface archaeological remains are uncovered, all work shall be halted within 100 feet of the finds, and the owner shall utilize a qualified cultural resources consultant to identify and investigate any subsurface historic remains and define their physical extent and the nature of any built features or artifact-bearing deposits.
2. If triggered by D1, 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.
3. 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)”, 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.

SECTION E - GEOLOGY AND SOILS:

1. **Prior to any ground disturbance activities**, the applicant shall secure a Grading Permit and submit Grading and Erosion Control/Sediment Plans to the Community Development Department for review and approval. Said plans shall implement Best Management practices in accordance with all applicable Federal, State and local agency requirements.

SECTION F – TRANSPORTATION

1. The applicant shall coordinate with the Department of Public Works and secure all necessary encroachment permits for any work and/or improvements in the right way.
2. All parking areas, drive aisles, and routes of travel shall be constructed and improved with all-weather surface material (i.e. asphalt, concrete, or chip seal) ensuring compliance with the CA Building Standards and the City Municipal Codes. The use of gravel or similar materials is prohibited. **Said condition shall be met prior to use of the converted structure.**

3. Access to the site will be provided via Sharp Lane (*a privately maintained roadway*) and Burns valley Road. The site will have one-way access, entering from Burns Valley Road and exiting onto Sharp Lane. To ensure safe and efficient traffic flow, the applicant will install visible signage (*one-way/do not enter signs, directional arrows, etc.*) at the entrance and exit point to help guide drivers. **Said condition shall be met prior to use of the converted structure.**

SECTION G -TIMING AND MONITORING

1. The applicant 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 shall use counsel reasonably acceptable to the City. The City shall promptly notify the applicant of any claim, action, demands or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the City harmless as to that action. The City may require that the applicant post a bond, in an amount determined to be sufficient, to satisfy the above indemnification and defense obligation. The applicant 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.
2. Upon the written request received prior to expiration, the Community Development Director may grant renewals of use permit approval for successive periods of not more than one (1) year each.
 - *Approval of such renewals shall be in writing and for a specific period.*
 - *Renewals may be approved with new or modified conditions upon the finding that the circumstances under which the use permit was originally approved have substantially changed.*
 - *Renewal of a use permit shall not require public notice or hearing unless the renewal is subject to new or modified conditions. To approve a renewal, the Community Development Director must make the findings required for initial approval.*
3. The Planning Commission may revoke or modify the use permit in the future if the Commission finds that the use to which the permit allows is 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. The applicant shall be notified of potential violations of the use permit prior to action taken by the Planning Commission.
4. Said Use Permits shall be subject to revocation or modification by the Planning Commission if the Commission finds that there has been:
 - a) *Noncompliance with any of the foregoing conditions of approval; or*
 - b) *The Planning Commission 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. 15.*
 - c)

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.

Date: _____

Applicant or Authorized Agent Signature

Printed Name of Authorized Agent

To be Completed by Authorized Staff Only:

Staff Name

Staff Signature

Date Project Approved: _____