



# CITY OF BLUE LAKE

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## STAFF REPORT

**APPLICATION #:** 025-161-016/2016

**APPLICANTS:** B&B Portable Toilets, LLC

**PROPERTY OWNER(S):** Tavis Cain & Tasha Eisner

### **PROJECT DESCRIPTION:**

The project is a Site Plan Approval application for the construction of a new metal building in the Industrial (M) Zone in the City's Business Park. The building is proposed to be used by B&B Portable Toilets to store restroom trailers, shower trailers, sink trailers, a company motor home, and any seasonal equipment that requires being covered. The foot print of the building is proposed to be 7,200 s.f. (60' x 120') and will be constructed over an existing concrete slab. The project also includes a 2,700 s.f. (30' x 90') lean-to that would be constructed over a new concrete slab. The project will result in a total covered area of 9,900 s.f. The building will be wired for basic electrical services and lighting. As shown on the Architectural Renderings, the building colors are proposed to be surrey beige, terra cotta, and dark bronze (See attached Project Description, Site Plan, and Architectural Elevations for more information).

**PROJECT LOCATION:** 150 Taylor Way

**ASSESSOR'S PARCEL #:** 025-161-016

**ZONING:** M – Industrial

**GENERAL PLAN DESIGNATION:** I – Industrial

### **ENVIRONMENTAL REVIEW:**

Categorically exempt per CEQA Guidelines Section 15332 (Class 32) exempting projects characterized as in-fill development meeting certain conditions. This project meets those conditions including: 1) the project is consistent with the general plan and zoning ordinance; 2) the project occurs within City limits on a 4.58 acre site within the City's Business Park; 3) the project site does not contain habitat for endangered, rare, or threatened species; 4) the project would not result in any

significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required public utilities and public services.

**DATE:** April 14, 2016

**SITE CHARACTERISTICS:**

The project site is 199,505 s.f. (4.58 acres) in size and is generally flat. The site is currently developed with two 600 s.f. buildings (office & bathroom buildings), two concrete slabs in the middle portion of the site, and an existing fence that occurs towards the front of the site (See attached Site Plan). The project site is located in the City Business Park and is serviced by all utilities. The northernmost boundary of the site fronts on Taylor Way. The western boundary is adjacent to the eastern boundary of Blue Lake Power. South of the parcel is a remaining portion of City of Blue Lake property consisting in part of the levee and Mad River. To the east is the Calgon Carbon facility and to the northeast is Wallace & Hinz. Access for the site is off of Taylor Way.

**BACKGROUND/HISTORY:**

The project site was previously owned by the City of Blue Lake and leased in the past by J&S Stakes, Blue Lake Roundstock LLC, and Custom Stump Grinders. When the parcel was leased by J&S Stakes, two metal buildings existed on the property in the location of the remaining concrete slabs (See photos below). The buildings were removed in the mid-2000s when J&S Stakes discontinued their lease with the City. The parcel is now owned by Tavis Cain and Tasha Eisner and used by B&B Portable Toilets, Six Rivers Portable Toilets, and JMR for their rental business specializing in portable toilets, sinks, and showers, cargo containers, and fencing. B&B Portable Toilets is proposing to locate the new building in a similar location to the main building that was used by J&S Stakes.

**2003 Aerial Photo**



**2014 Aerial Photo**



According to the Department of Toxic Substances Control (DTSC) Envirostor Database (www.envirostor.dtsc.ca.gov), the Blue Lake Business Park previously contained the McIntosh Lumber Mill (Envirostor ID: 12240045) which is listed as having a cleanup status of “*No Action Required as of 8/8/1996*”. The rationale provided in the ‘Site Evaluation Tracking Sheet’ (Dated 8/8/96) stated, “*There is no documented evidence of release of contaminants at hazardous levels that threatens public health and/or the environment.*”

#### **STAFF COMMENTS:**

Referrals for this project were sent to the City Manager, Public Works Department, Building Inspector, City Engineer, Volunteer Fire Department, and North Coast Regional Water Quality Control Board (NCRWQCB).

#### City Manager

The City Manager did not respond to the project referral.

#### Public Works Department

The Public Works Department responded to the referral stating that they have no comments on the project.

#### Building Inspector

The Building Inspector responded to the referral stating, “*No comments at this time. The permit review has completed and any comments have been incorporated into the construction plans. The permit is ready to issue once the conditions of approval have been received, reviewed, and incorporated as needed.*” A condition of approval has been included for the project requiring the applicant to comply with all requirements of the Building Department prior to issuance of the certification of occupancy (See below).

#### City Engineer

The City Engineer’s comments included:

- 1) *How will stormwater runoff from roof drains be addressed?*

The application submittal did not include specific information about the design for handling stormwater runoff from the roof of the new building. Options at the site include directing the runoff to the existing drainage ditches on the western and eastern boundaries of the property or other appropriate locations with pervious surface that will allow infiltration into the ground. A condition of approval has been included for the project requiring the applicant to address stormwater runoff from the new building to the satisfaction of the City Engineer prior to issuance of the certificate of occupancy by the Building Inspector (See below).

- 2) *Ensure handling/storage of any hazardous materials is addressed in the hazmat business plan.*

A condition of approval has been included requiring the applicant to file or amend, if applicable, their Hazardous Materials Business Plan with the County Division of Environmental Health (DEH) to include any hazardous materials that will be stored in the new building (See below). A separate condition of approval has been included requiring the applicant to provide the City with copies of any required permits, approvals, filings, etc. from other agencies (See below).

3) *Finished floor will be 1 ft above the 100 flood elevation?*

According to the Flood Insurance Rate Map (FIRM) for the City of Blue Lake (Community-Panel Number 060438 0001 B), the site is located in the 500-year floodplain. The building inspector has stated that since the property is shown on the FEMA maps to be outside of the 100-year floodplain, the finished floor of the building is not required to be raised.

4) *Electrical and foundation submittals addressed through the building department?*

The building inspector has stated that the applicant's electrical and foundation submittals shall be addressed through the building department. A condition of approval has been included for the project requiring the applicant to comply with all requirements of the Building Department prior to issuance of the certification of occupancy (See below).

Volunteer Fire Department

The Volunteer Fire Department did not respond to the project referral from the Planning Department. However, they did respond to an earlier referral from the Building Department and provided the following comments, "*Fire will require fire extinguisher placement throughout the structure, at a minimum one 4-A: 80-B-C and additionally for every 75' of travel will require one 2-A: 10-B-C.*" A condition of approval has been included requiring the applicant to meet the requirements of the Fire Department prior to issuance of the certificate of occupancy by the building department (See below).

North Coast Regional Water Quality Control Board (NCRWQCB)

The NCRWQCB responded to the referral stating that the standard industrial classification (SIC) code for the business would be most similar to 4959 (Sanitary Services), which does not require obtaining an Industrial General Permit (IGP) from the water board.

**GENERAL PLAN CONSISTENCY:**

The goals of Industrial Development in the City of Blue Lake as stated in the Industrial Land Use Section of the General Plan include the following: 1) To provide the community with suitable areas to attract a mixture of business/industrial activity that will provide the City with revenues, produce jobs, and stimulate economic activity; 2) To develop and maintain performance standards for the Business Park to protect Blue Lake's environmental and social character; 3) To establish a safe, balanced and efficient circulation and pedestrian system serving all segments of the community, preserving the city's character and quality of life, and planning for anticipated growth; and 4) To establish an inviting atmosphere as well as develop community pride in the Blue Lake Business Park.

This project proposes construction of a 7,200 s.f. metal building and 2,700 s.f. lean-to that will be used for the storage of restroom trailers, shower trailers, sink trailers, a company motor home, and any seasonal equipment that requires being covered. This proposal is consistent with the Goals & Policies in the Industrial Land Use Section of the Blue Lake General Plan since it proposes the construction of a new building that will allow the improved operations of an existing business in the Blue Lake Business Park. The storage of equipment in the new building is a use type that produces minimal impacts (e.g. noise, lighting, dust, odors, etc.) and will have the benefit of providing additional screening of the equipment stored at the site. The proposed use of the building will be

required to comply with the performance standards in the Industrial (M) Zone to ensure no adverse impacts occur to surrounding uses.

Goal 4 in the Industrial Land Use Section contains a policy which states, “*New and remodeled buildings shall be designed to have visual continuity in terms of mass, scale, materials and colors relative to the existing Business Park facilities.*” This project proposes to locate a beige colored metal building on Industrial zoned property in the Blue Lake Business Park. Adjacent businesses including Calgon Carbon, Blue Lake Power, and Wallace and Hinz contain metal buildings that are similar in mass, scale, materials, and colors. As proposed and designed, the new building proposed by B&B Portable Toilets is found to be consistent with the above policy.

As such, the proposed project is determined to be consistent with the Blue Lake General Plan including plans for development of the Blue Lake Business Park.

### **ZONING COMPLIANCE:**

Zoning Ordinance Section 407 describes the requirements for the Industrial (M) zone. The proposed project is principally permitted in the Industrial (M) zone. As stated in Section 407(A)(1) of the M Zone “*All uses, principally and conditionally permitted in the ML Zone, except that retail, personal services and public assembly type uses are excluded.*” Zoning Ordinance Section 407.1 describes the requirements for the Light Industry (ML) Zone. The ML Zone principally permits ‘Commercial Services’ including equipment rental and ‘Distribution and Associated Warehousing’ including outdoor and indoor storage facilities. As such the proposed use of the new building is principally permitted in the Industrial (M) zone.

The proposed use of the new building is subject to the performance standards contained in Section 407(D) of the Industrial (M) Zone which addresses issues such as noise, lighting, odors, signage, and screening. To ensure compliance with these standards, a condition of approval has been included which states (See below), “*The applicant shall comply with the performance standards contained in Section 407(D) of the Industrial (M) Zone. If complaints are received by the City, Staff will conduct monitoring to ensure compliance with the performance standards. The compliance monitoring shall occur at the applicant’s expense. If it is determined that the uses are not in compliance with the performance standards the applicant shall be required to provide mitigation to achieve compliance.*”

#### Site Plan Approval

In the Industrial (M) zone, Site Plan Approval is required per Section 625 of the Zoning Ordinance for principally and conditionally permitted uses which propose to locate new equipment or structures on a property. Section 625(E) lists the ‘principals to be followed’ for Site Plan Approval. Section 625 states, “*Areas of aesthetic and site plan consideration shall include, but are not necessarily limited to the following:*

- 1. Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*
- 2. Review of proposed exterior color and material application with relationship to adjacent architectural or natural elements.*

3. *Review of proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage area, utility installations or other unsightly development. The planting of ground cover or other surfacing to prevent dust and erosion. The unnecessary destruction of existing healthy trees and woody vegetation.*

4. *Review of location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures, in relation to traffic hazards and the appearance and harmony with the environment.*

5. *Review of location, height and material of walls, fences, hedges and screen plantings.*

6. *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

7. *Review of the effect of the site development plan on traffic conditions on abutting streets. The layout of vehicular and pedestrian entrances, exits, drives, and walkways. The adequacy of off-street parking facilities to prevent traffic congestion. The location, arrangement, and dimensions of truck loading and unloading facilities. The circulation patterns within the boundaries of the development. The surfacing and lighting of off-street parking facilities.*

8. *Review of the effect of the site development plan on the adequacy of storm and surface water drainage.*

9. *Review of the location, height, size, wattage, and shielding of outdoor lighting.*

10. *Nothing contained herein shall be construed as restricting or curtailing any of the powers of the Planning Commission of the City of Blue Lake.*

#### Building Coverage

The Industrial (M) Zone allows a building coverage of up to 70%. The project site is 4.58 acres in size, which would allow approximately 3.2 acres of building coverage before exceeding the 70% requirement. Existing development at the site consists of two smaller buildings which total approximately 1,200 s.f. in size. With the proposed new building, building coverage at the site will total 11,100 s.f., which is well below the requirements of the Industrial (M) Zone.

#### Building Height

The Industrial (M) Zone allows a building height of up to eight stories with a maximum vertical height of 100 feet. However, unless there is a 50 foot horizontal setback from the front or side property line, the allowed building height is three stories with a maximum vertical height of 45 feet. As shown on the Architectural Elevations, the building height is proposed to be approximately 18 feet at the eaves with a roof pitch of one (1) inch vertical rise for each twelve (12) inches of horizontal run. Building height is defined in the zoning ordinance as, "...the vertical distance from the "Grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof." Based on the definition of

building height in the zoning ordinance, the building height for the new building is proposed to be approximately 19.25 inches, which is well below the requirements of the Industrial (M) Zone.

### Building Setbacks

The building setbacks in the Industrial (M) Zone include the following: 1) 10 foot minimum setback from all property lines; 2) 25 feet from any public right-of-way for a building front and 15 feet from any public right-of-way for a building side; 3) no building or parking or storage area shall be constructed within 50 feet from the north side of the levee crown or top of bank adjacent to the Mad River. As shown on the Site Plan, the building setbacks will be the following: Front – 185 feet, Sides – 95.2 feet and 43.8, and Rear - >185 feet. As such, the proposed building setbacks are in compliance with the requirements of the Industrial (M) Zone.

### Off-Street Parking

Off-street parking requirements are found in Section 407(C)(4) of the M Zone and Section 610 (Off-Street Parking Facilities) of the Zoning Ordinance. As stated in Section 407(C)(4), “*The minimum number of spaces shall be one for every 800 square feet of gross floor area or 1 parking spot per 1.35 shift employees whichever is more applicable as determined by the City Planner.*” Based on the nature of the proposed uses and the project site, the standard requiring ‘1 parking spot per 1.35 shift employees’ is more applicable. The business has 8 employees which would require 6 off-street parking spaces per the applicable standard. As shown on the Site Plan, approximately 14 off-street parking spaces currently exist at the front of the property along Taylor Way.

### Landscaping

As part of the initial 2014 Site Plan Approval for B&B Portable Toilets, Six Rivers Portable Toilets, and JMR to locate at the project site (App # 025-161-015/2014), landscaping improvements were required to be installed along the front and rear property lines in compliance with the requirements of the Zoning Ordinance. The installation of landscaping was completed this winter and included the planting of big leaf maples and shrubs along the Taylor Way frontage and coast redwoods and red alders along the rear property line adjacent to the levee. The landscaping installation was reviewed by City Staff and determined to comply with the conditions of approval of the prior Site Plan Approval application. No additional landscaping is required for this project since no expansion of use is proposed by the applicant. The project will result in developing a building over an area that is currently used for outdoor storage.

## **STAFF RECOMMENDATIONS:**

The project, as proposed and conditioned, is in substantial compliance with the Blue Lake Zoning Ordinance & General Plan. There seem to be no other issues involved in this project and therefore staff recommends approval of the project conditioned upon those items specified below.

### General

1. Applicant shall reimburse the City for all fees involved in processing this application including any costs incurred ensuring compliance with the conditions of approval.
2. Applicant shall obtain and provide the City with copies of any required permits, approvals, filings, etc. from other agencies.

### Planning

3. Any lighting proposed for the project site or the new building must be approved by the City Planner before installation and will need to be the minimum lumens required and kept low in height & shielded.
4. Any signage proposed for the project site or the new building must be approved by the City Planner before being posted and must be consistent with the existing sign motif established for the Business Park.
5. The applicant shall comply with the performance standards contained in Section 407(D) of the Industrial (M) Zone. If complaints are received by the City, Staff will conduct monitoring to ensure compliance with the performance standards. The compliance monitoring shall occur at the applicant's expense. If it is determined that the uses are not in compliance with the performance standards the applicant shall be required to provide mitigation to achieve compliance.
6. Any future improvements proposed for the site, as determined by the City Planner, may require a new Site Plan Approval application or amendment to this application.

### Building Department

7. The applicant shall comply with all requirements of the Building Department prior to issuance of the certificate of occupancy.

### City Engineer

8. If required, the applicant shall file a Hazardous Materials Business Plan with the County Division of Environmental Health (DEH) to document what materials will be kept at the site and how they will be stored.
9. The applicant shall address stormwater runoff from the new building to the satisfaction of the City Engineer prior to issuance of the certificate of occupancy by the Building Department.

### Volunteer Fire Department

10. The applicant shall meet the requirements of the Fire Department prior to issuance of the certificate of occupancy by the Building Department.

Post Office Box 1329  
Blue Lake, CA 95525  
Fax (707) 839-8809

**B&B – Six Rivers Portable Toilets**  
**150 Taylor Way**  
**Blue Lake, CA 95525**  
**(707) 445-0830**

Office Hours  
8 am – 4 pm  
Mon - Fri

RECEIVED  
FEB 25 2016

February 25, 2016

To Whom it may concern,

In response to the letter we received regarding APN: 025-161-015, the cleaners, chemicals and acids to be used and stored in the building would be as follows:

- \*1 gallon quarts of motor oil
- \*Aerosol cleaners such as brake and truck cleaners
- \*Any unforeseen hazardous non-flammable materials will be stored in OSHA approved locking cabinet.
- \*1 gallon quart of hydraulic fluid

Any portable toilet chemicals, cleaners, gasoline or any other flammable or hazardous waste will NOT be stored in the building. We currently have containment procedures and storage of these materials in place already. All of our paper products are currently stored in shipping containers. In regards to what is planned to be stored inside the building would be our nice restroom trailers, shower trailers, sink trailers, company motor home and any seasonal equipment that we want to keep covered. If you need more details regarding our trailers, please feel free to visit our website at [bbportables.com](http://bbportables.com). You will find more detailed pictures of our equipment.

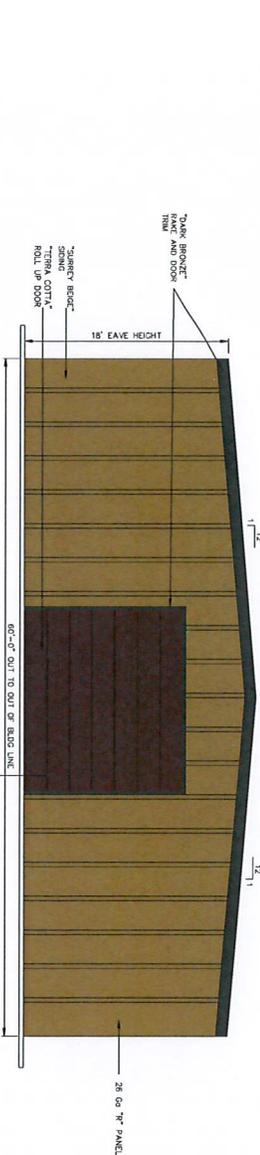
In regards to repair work quantities, procedures and extent of work to be done would be cosmetic repair on toilets and vehicles. There will not be any major repair work done on any of our company vehicles and there will not be any running vehicles inside this building. All of that will be done at our other location (Humboldt Sanitation). We plan on using the last stall in the shop to do these cosmetic repairs. There will not be any painting of any kind inside the building as well.

I hope this answers your questions. Please feel free to contact me if you need any further information.

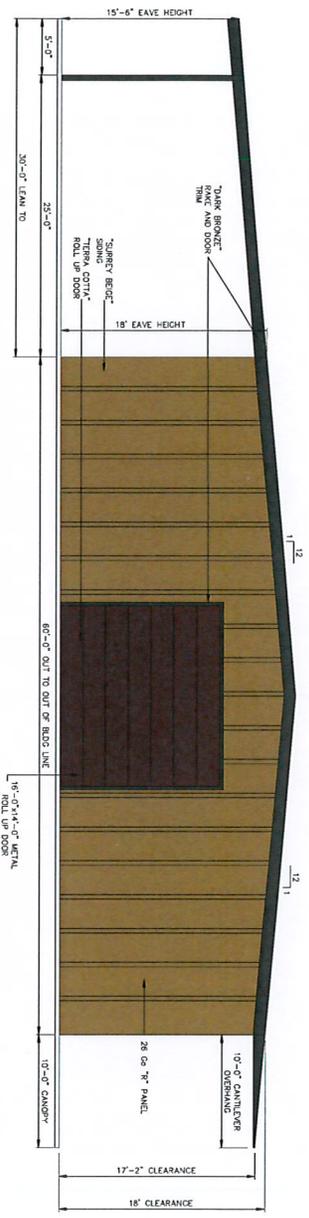
Sincerely,

Tavis Cain

CBC KYNAR COOL COLOR CHART  
COLOR SAMPLES



**SOUTH ELEVATION**  
SCALE: 1"=4'



**NORTH ELEVATION**  
SCALE: 1"=4'

REVISIONS	BY

**PACIFIC AFFILIATES**  
CONSULTING ENGINEERS  
990 W. WATERFRONT DRIVE, EUREKA, CA 95501  
TEL (707) 449-3001 \* FAX (707) 444-3003



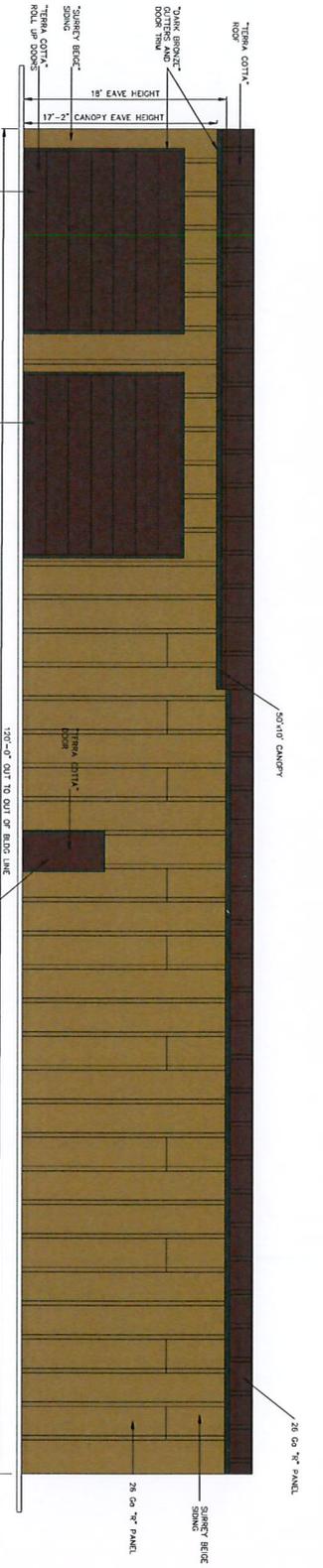
**ELEVATIONS**

PACIFIC AFFILIATES, INC. HEREBY EXPRESSLY ASSIGNED TO COMPANY THE CONTRACT AND SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE COMPANY SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE COMPANY SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE COMPANY SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.

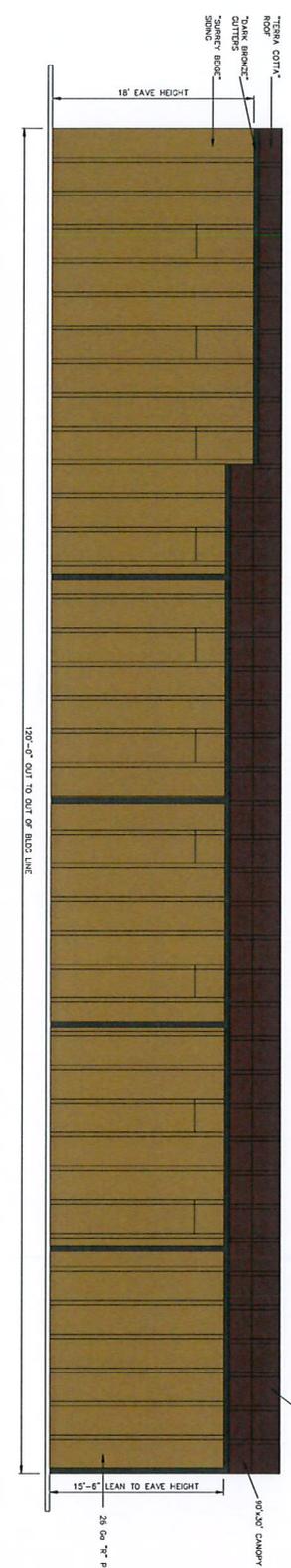
**B&B PORTABLE TOILETS**  
190 TAYLOR WAY  
BLUE LAKE, CA 95525  
APN 025-161-015

DATE: March 13, 2016  
SCALE: 1"=4'  
DRAWN BY: G. MOTTLE  
CHECKED BY: G. MOTTLE  
JOB NUMBER: 151885

CBC KYNAR COOL COLOR CHART  
COLOR SAMPLES



WEST ELEVATION  
SCALE: 1/4"=1'-0"



EAST ELEVATION  
SCALE: 1/4"=1'-0"

REVISIONS	BY

**PACIFIC AFFILIATES**  
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**B&B PORTABLE TOILETS**  
150 TAYLOR WAY  
BLUE LAKE, CA 95525  
APN 025-161-015

Job Number  
1511865

Scale  
March 15, 2016

Sheet Number  
2